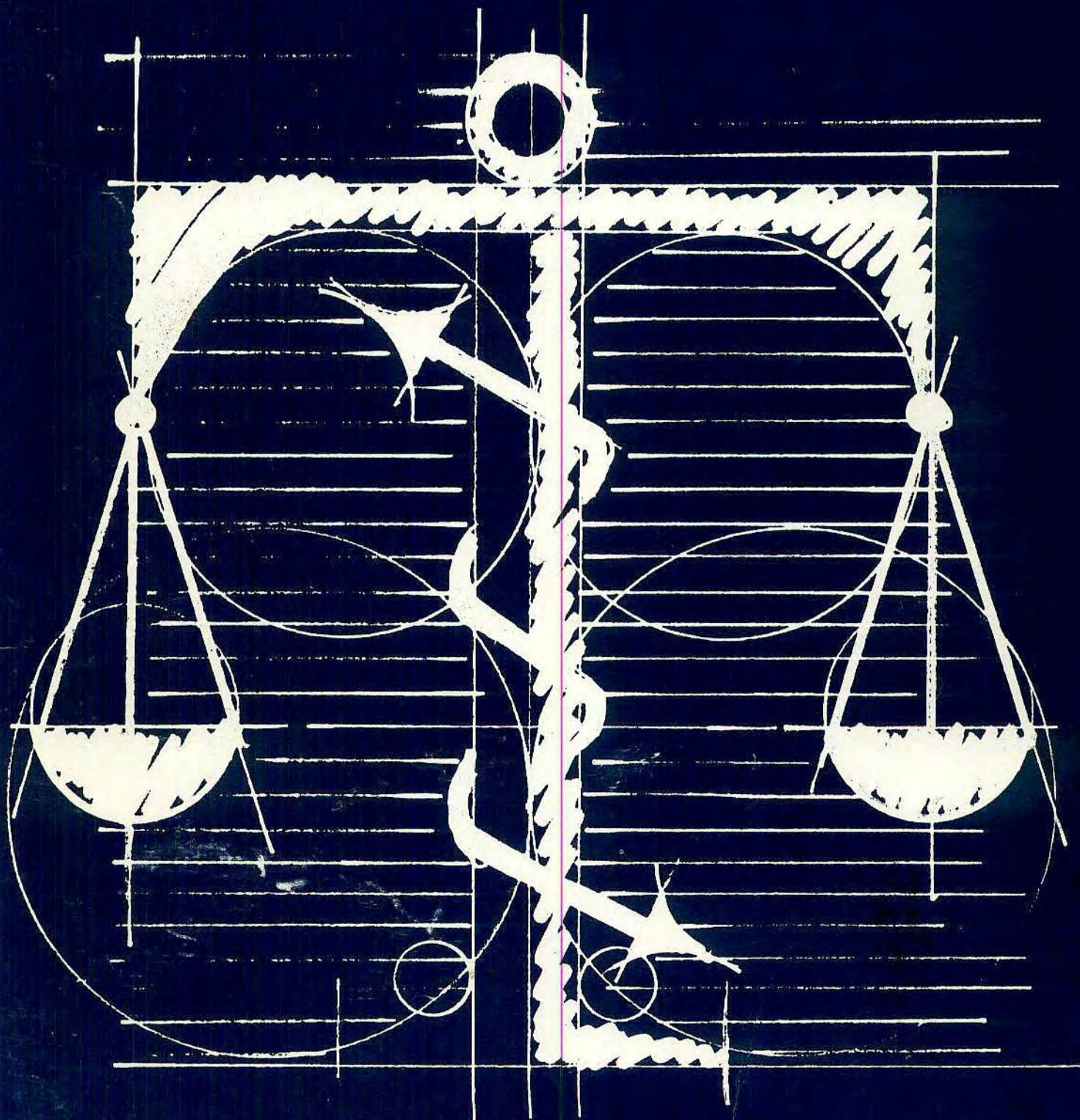


BLUEPRINT FOR • THE • FUTURE

Final Report of Trends & Issues for the 1990s

An Illinois Criminal Justice Forum



Illinois Criminal Justice Information Authority

BLUEPRINT

F O R • T H E • F U T U R E

Final Report of Trends & Issues for the 1990s:
An Illinois Criminal Justice Forum

January 1991

Illinois Criminal Justice Information Authority

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REPORT

OF THE

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

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INTRODUCTION

As Illinois enters a new decade, the state's criminal justice system finds itself grappling with a host of contradictory trends:

- The system faces more demands than ever before, but the resources devoted to criminal justice are barely keeping pace with inflation, let alone the surge in activity.
- Increases in criminal justice activity continue to be fueled by higher rates of drug-related crime, even though the overall level of drug abuse in society appears to be waning.
- Levels of property and violent crime remain high, despite the drop in the number of young people in the traditionally crime-prone age groups.
- Constitutionally and operationally, the criminal justice "system" is as fragmented as ever, although people increasingly expect it to function with a unified voice.
- And while the root causes of crime, and the eventual solutions to it, lie outside the justice system, an increasingly frustrated public is demanding that the system unilaterally do more to solve the problem of crime in their communities.

It is this last contradiction that is perhaps most vexing for criminal justice professionals, lawmakers, the media, and the general public. For at the same time that citizens are looking for a quick fix to the problems of drug abuse and crime, it is becoming increasingly clear that the causes and solutions are far too deep and too complex for easy answers from the criminal justice system or any other single entity.

A growing call for help

In this respect, criminal justice resembles emergency health care, another "system" that is drawing more and more public attention these days. It seems obvious that the best way to reduce emergency health care activity and costs is to keep people out of the emergency room—through better nutrition, preventive health care, and education. Similarly, the best way to reduce criminal justice activity and costs is to prevent crime before it occurs—through programs that attack poverty, educational failure, family disintegration, and other breeding grounds for crime.

However, neither the emergency health care system nor the criminal justice system has the luxury of idly standing by while others work on the long-term solutions. Both systems must continue to react to today's problems. And without substantial progress on those more permanent solutions, both systems can expect even more "clients" in the new decade. For the criminal justice system that will mean not just more offenders, but also more victims and other citizens who are looking not just for immediate assistance, but for longer-term answers as well.

Responding to the public's growing call for help is probably the biggest challenge facing the justice system in the 1990s. The system will have to maintain—actually improve—such traditional functions as responding to calls for service, investigating crimes, and arresting, prosecuting and punishing offenders. But that won't be enough. The system must also do more to identify *and contain* some of the

"I'm struck by the irony of the people in the media and in the general public being like those [addicts] on the street in wanting a quick fix."

Wayne Wiebel
University of Illinois at Chicago

underlying conditions and circumstances that lead to crime. In other words, at the same time that it is finding new ways to speed up its response to 911 calls, the criminal justice system must also adopt new strategies for reducing the number of calls for service by reducing the number of criminal incidents.

Complicating this already formidable challenge are some serious time constraints. Demographers are predicting that well before the end of the decade, the crime-prone population of teenagers and young adults will be increasing again in Illinois. Furthermore, it will take several years to design, test, and implement any major new information system, organizational structure, or crime control agenda. Unless criminal justice leaders in Illinois are satisfied with the systems and programs that are currently in place, and unless they are comfortable with having those same systems and programs for the rest of the decade, the process of defining and effecting change must begin right away.

"This Forum is a call to action. A call to work harder and to work smarter. To develop new tools, new technologies, and new ways of thinking about ourselves and our jobs."

J. David Coldren

Executive Director
Illinois Criminal Justice
Information Authority

Beginning the process of change

To focus attention on the need for change, and to get the actual planning process under way, the Illinois Criminal Justice Information Authority, in conjunction with 16 other state agencies and professional organizations, convened a first-ever statewide criminal justice forum in Chicago, from July 8–12, 1990. *Trends and Issues for the 1990s* attracted more than 650 local, state, and federal officials and other people concerned with the future of criminal justice in Illinois. Forum participants took part in more than two dozen workshops and sessions dealing with drug abuse, violent crime, criminal justice financing, technology, and a variety of other issues that will shape the justice system in the 1990s and beyond.

The purpose of the Forum was not to achieve consensus on all of these issues. With such a large and diverse group, unanimity would have been virtually impossible. Rather, the intention was to bring the important issues to the table, to elevate the intensity of the debate, and to analyze and articulate the major ideas and themes that emerged. This final report of the Forum attempts to handle the task of analysis and articulation.

First of all, the report chronicles the information and ideas presented at the Forum's major workshops and sessions; this material is found in the session summaries that make up Chapter 3. But unlike a traditional conference proceedings book, the report also expands on the key issues of the Forum. The report combines the workshop discussions with further background information and research to present a more thorough and relevant discussion of future directions in criminal justice. That discussion is contained in Chapter 2.

This report does not purport to be a comprehensive criminal justice agenda for the 1990s. It does, however, provide everyone involved in the system—criminal justice administrators, other state and local government leaders, members of the news media, the general public, and others—with a summary of the critical issues facing the system and some discussion of possible courses of action. As such, *Blueprint for the Future* is a precursor to, and a foundation for, more specific recommendations, policies, and programs at the state and local level.

Responsiveness and accountability

From the abundance of issues and ideas debated at the Forum, it is difficult to identify a single, overriding theme. One fundamental idea, however, did seem to emerge in session after session: *the success of criminal justice agencies in the 1990s will depend to a great extent on how responsive and accountable they are to the needs, the concerns, and the ideas of the communities they serve.* To be successful, criminal justice agencies will have to respond not only to individual crimes and individual criminals, but also to the larger problems that contribute to crime and unrest in their communities.

In the 1990s, this new spirit of community responsiveness and accountability will be found in almost every aspect of the criminal justice system:

- In new community-based approaches to law enforcement, as more police officers (as well as prosecutors and other criminal justice officials) get out of their squad cars (and their offices) and in to the community to fight crime and some of its underlying causes.
- In new approaches to fighting drug abuse and drug-related crime—user accountability measures, nuisance abatement efforts, and the integration and coordination of community-based enforcement, education, and treatment programs.
- In new applications of technology—mobile data terminals, hand-held computers, and other devices that improve police response in the field, as well as crime analysis systems, artificial intelligence programs, and other systems that help law enforcement *and the public* recognize and respond to larger crime patterns.
- In new methods of financing the criminal justice system—user fees, public safety taxes and surcharges, forfeiture of offenders' assets, and other methods of more closely tying the source of funds with the problems being addressed.
- In new approaches to criminal justice training and education—curricula designed to attract quality people to criminal justice professions, and to retain and develop them into tomorrow's leaders.
- In a new focus on young people, on the complex problems they face, and on the justice system's response.
- In correctional alternatives that emphasize individual accountability, rehabilitation, and restitution to the victim and the community.
- In more comprehensive and sophisticated approaches to the way police, prosecutors, and other criminal justice officials treat the innocent victims of crime.
- In new working relationships with the news media that stress such common goals as improving public safety and educating citizens about crime and criminal justice.
- In new partnerships with community groups and citizens—efforts that go beyond traditional crime prevention programs and move into new areas of activism and volunteerism.

"Today's problems cannot be solved with yesterday's solutions."

Robert Wadman
Aurora Police Chief

“At the same time we say we want no increase in taxes, we say no drugs, no gangs, no new personnel, reduce calls for service, cut overtime, and reduce expenditures. I think we can do some of these things, but we have to prioritize our resources.”

Ronald Pavlock

Mt. Prospect Police Chief

Encouraging examples of these and other new approaches can already be found in many parts of Illinois. But the broader process of change has only begun. That process will take time (although the criminal justice system does not have much leeway), and it will cost money. For even though many of the new programs of the 1990s may not require more personnel, they will require more resources in such critical areas as training and technology.

Spending priorities in an uncertain future

With the threat of a recession and with the public increasingly leery of higher taxes, it will be difficult for criminal justice administrators and the lawmakers who control their budgets to justify increased spending, especially on innovative (and in some cases, untested) programs. The temptation has always been to cut training, innovation, and other areas that are sometimes viewed as superfluous. That temptation may be stronger than ever now, since poor economic conditions often lead to more crime, which in turn leads to more demands on the day-to-day operations of the criminal justice system.

In developing their spending plans and priorities in an uncertain future, criminal justice managers may want to look to management experts in the private sector for some insight. One of the most respected of today's management gurus, Tom Peters, has argued that a recession is precisely *not* the time for industry to cut back on training, advertising, quality-control programs, and other areas that provide them with a competitive advantage (Tom Peters, *On Excellence*, Tribune Media Services, September 1990). Applying his principle to the criminal justice system suggests that budgets for training, technology, “advertising” (public outreach), and other “competitive advantages” should be left intact, even if it means delaying some purchases or holding the line on salaries.

Mr. Peters also suggests that a recession may be a good time to actually carry out those management reforms that organizations often promise (but don't implement) in healthier economic times. These include getting more employee input on future directions and cost-cutting opportunities; working more cooperatively with suppliers and customers to map out strategies; and placing a renewed emphasis on quality.

All of these suggestions have direct applications for the criminal justice system as well. In the 1990s, criminal justice administrators will need to turn to their line personnel for new ideas on how to stretch limited resources. Criminal justice agencies will need to work more cooperatively with one another, and with outside agencies and organizations, to avoid duplication of effort and to ensure coordinated and cost-effective delivery of services. Finally, criminal justice agencies will need to stress not only the quantity of the cases they handle but also the quality of their work—in the community as well as in the police station and the courtroom.

More than reacting to the status quo

The 1990s begin with the criminal justice system facing a variety of troubling and contradictory trends. And with some futurists predicting increased social unrest, strained race relations, and more urban violence later in the decade, the situation could easily get worse—if all else remains the same.

What *Trends and Issues for the 1990s* demonstrated is that criminal justice leaders in Illinois are not willing to sit back and simply react to the status quo. They stand ready and committed to take action—to chart new directions—that will improve public safety and the administration of criminal justice in our state.

That's not to say that criminal justice in the 1990s won't continue to be a largely reactive system. But to be successful in the future, criminal justice administrators realize that they (and their line personnel) must expand their vision beyond a purely reactive stance. They must adopt new approaches and new techniques for accomplishing their jobs. And they must forge new partnerships with one another and with the larger community to address those quality-of-life issues that touch all of us.

"The battle against the river of crime can serve to unite our nation at a time when unity may be in short supply."

James Zagel
U.S. District Court Judge

KEY TRENDS & ISSUES

NEW DIRECTIONS IN LAW ENFORCEMENT

"I worry about law enforcement as I worry about other agencies in that are we becoming so technical that we may be losing sight of the human element."

Judy Baar Topinka

State Senator

22nd Legislative District

The last two decades have brought tremendous advances in law enforcement technology, data systems, training, and other resources. Yet in 1989, a record 662,000 index offenses were reported to the police in Illinois, including for the first time, more than 100,000 violent crimes.

Crime in Illinois persists, often times at rates that seem unaffected by technological gain, by changes in public policy, or by the addition of resources. Part of the reason, of course, is that the root causes of crime lie outside the criminal justice system, as do the ultimate solutions to the problem—stronger families, better education and mental health programs, decent housing, and economic development. But as long as social problems wind up being criminal justice problems, the quality of the justice system's response will continue to have a profound impact on crime.

For much of this century, the response by law enforcement agencies, in Illinois and throughout the country, has been basically the same: put police officers in squad cars to (a) deter crime through a more mobile police presence in the community, and (b) permit officers to respond quickly to reported incidents.

No one disputes the need for a quick and efficient response to crime reports. However, many people at the Forum—both inside and outside the criminal justice system—said they are increasingly frustrated that the traditional patrol-and-respond methods of policing don't seem to be addressing *today's* crime problems. And while few people expect law enforcement to solve the vast social problems that underlie crime, many criminal justice leaders now recognize that the law enforcement response must be more in tune with the problems and needs of the community.

Community-based policing

For years, experts have said effective crime control hinges on a strong partnership between law enforcement and citizens. In many police departments, however, the job of building and sustaining that partnership has been relegated to a crime prevention section or community services bureau, not integrated into an overall corporate strategy. And while these units perform important functions, they are typically understaffed or have little input into departmental goals, priorities, and policies. As a result, community concerns about crime often get lost or ignored—until they appear as calls to 911.

A growing number of communities are working to avoid this situation (which some have labeled the "tyranny of 911") through a strategy known as *community-based policing*. Talked about for a number of years, community-based policing in the 1990s is more than a buzzword for a collection of vague ideas. It is an increasingly established and well-researched strategy of policing that takes some officers out of their squad cars and puts them directly in the community—to listen to citizen concerns, to analyze crime patterns and the reasons behind them, and to formulate solutions that eliminate (or at least contain) the problem.

Community-based policing is not, as some critics have charged, just a fancy name for foot patrols. Community-based policing may include foot patrols, but it involves much more than simply putting some officers on foot and telling them to

do essentially what they've been doing all along (that is, respond to calls). Community-based policing entails an entirely different mind-set, one that encourages officers to look beyond each incident and to work with the community in determining what set of circumstances led to that crime in the first place. It is from this type of analysis that law enforcement can develop more thorough and more creative responses to the community problems (such as abandoned housing) that often lead to crime problems (such as drug dealing and prostitution).

For departments that have become slaves to response times, arrest statistics, and clearance rates, community-based policing can provide an important new focus and direction. Under community-based systems, the *quality* of police work is emphasized and rewarded, not just the quantity. For individual officers, community-based policing can provide new challenges, higher expectations, and increased job satisfaction. Officers become more than report writers; they become creative problem-solvers in their communities. They also assume a bigger role in shaping departmental priorities by acting as a direct and consistent link between citizens and police administrators.

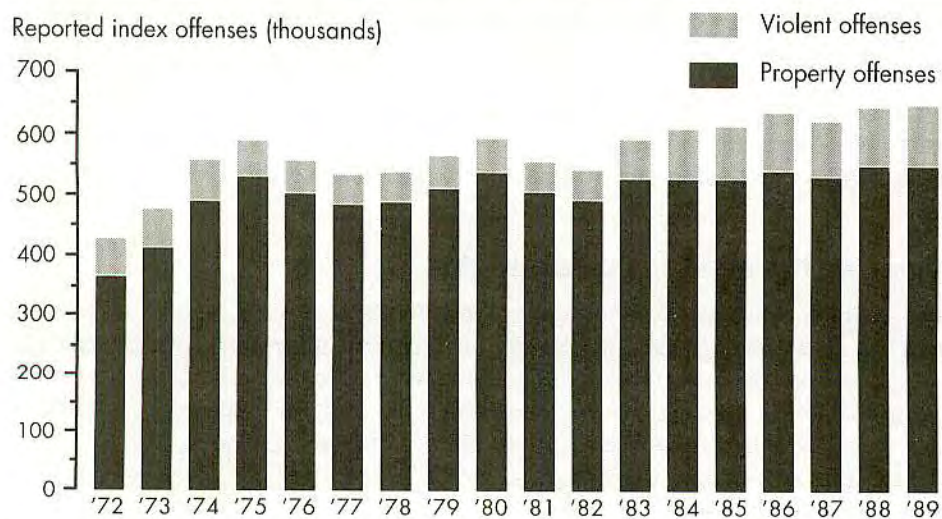
The shift to more community-based policing seems inevitable, but the change won't happen overnight. In Illinois, it has been mostly large communities—Aurora, Champaign, and Evanston, for example—that have experimented with the strategy so far. But community-based policing doesn't have to be strictly a large-city or suburban strategy. Depending on their crime problem and their level of resources, jurisdictions of all sizes can implement community-based policing to varying degrees. At a minimum, all agencies can empower their officers to be more creative in listening to community concerns, in communicating those concerns back to police administrators, and in proposing solutions.

"People are demanding that police get out of their squad cars."

Ronald Pavlock

Mt. Prospect Police Chief

Even with tremendous advances in law enforcement technology and reactive policing techniques, crime in Illinois continued to increase in 1989.



Source: Illinois Uniform Crime Reports

New directions for prosecutors—new costs

Community-based approaches need not be limited to police agencies. In other states, both prosecution and courts agencies have begun to experiment with organizational structures and strategies that more closely match police and community needs.

In Montgomery County, Maryland, for example, the state's attorney's office has been split into five units corresponding to geographic police districts. In addition to working closely with the police officers in their districts, prosecutors are rewarded for the quantity and quality of the community contacts they make. Similarly, New York City is considering a network of "community courts" to handle relatively minor incidents more quickly and efficiently.

Regardless of whether similar approaches are adopted here, prosecution and courts agencies in Illinois must be flexible in adjusting to community-based methods of policing. That will mean devoting more attention to vandalism, graffiti, housing violations, and other activities that are often precursors to more serious neighborhood crime, but which typically receive scant attention from the judicial system. It will also mean aggressively working with community leaders to enforce so-called nuisance abatement laws, which are emerging as an important tool for shutting down drug and prostitution houses.

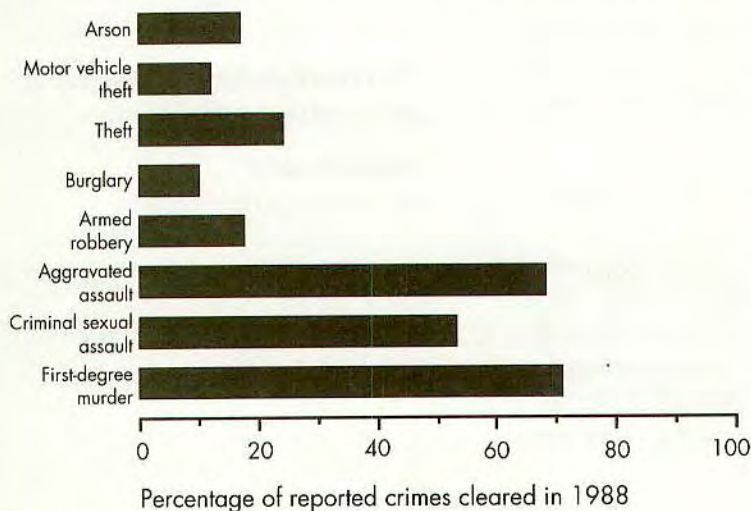
Experience suggests that the shift to community-based policing or prosecution will cost money initially—if not

in more personnel then certainly in better training and crime analysis tools for existing personnel. In times of tight budgets and increasing crime, higher costs up-front may be difficult to sell to policymakers and the public without solid facts and figures. The relative costs and benefits of community-based policing, therefore, need to be analyzed more thoroughly in those Illinois communities where the strategy has been tried. This research should then serve as the foundation for future expansion of community-based approaches in jurisdictions throughout the state.

Balancing the need for specialization

Even with the shift toward community-based strategies, a large amount of police work will always be reactive. Responding to calls for service, investigating crimes, and apprehending suspects are central functions of every law enforcement agency. During the 1990s, agencies must look to refine the tools and technologies that have so vastly improved police response times and investigative capabilities over the last several decades—things such as E-911 systems, mobile data terminals, and crime analysis tools.

One reason for the new interest in community-based policing is that traditional policing methods produce relatively low clearance rates for most serious crimes.



Source: *Illinois Uniform Crime Reports*

Regardless of their strategic plans, law enforcement agencies in the 1990s will have to balance the need for specialists, who are trained to investigate particular types of crimes, and generalists, who can readily respond to a wide variety of situations. In many small agencies, developing this balance is not an issue: these departments typically do not have enough personnel to make exclusive assignments. In medium and large departments, however, there is a growing sense that law enforcement may be becoming too specialized, with separate personnel for narcotics, for juvenile cases, for sexual assault and domestic violence, for auto theft, for crime prevention, and for literally dozens of other activities.

With increased specialization come two concerns:

- First, that the overall level of service to the public may be diminished when only a limited number of specialists are capable of responding to certain situations.
- Second, that the proliferation of specialists adds to police administrative and overhead costs, and possibly creates some duplication of effort.

Prosecutors and public defenders must also strike a balance between specialists and generalists.

Clearly, police departments will always need specialists for certain serious and violent crimes. But it should not take an officer specializing in domestic violence, for example, to know how to direct an abused spouse to the nearest victim assistance center. Similarly, all officers, not just narcotics specialists, should know how to detect and respond to drug law violations. In the 1990s, as police departments move toward community-based approaches, the key will be to train more officers in a wider range of crime situations involving a variety of victims and witnesses. With reported increases in domestic violence and child abuse, in crimes motivated by racial hatred, and in crimes affecting non-English speaking victims, it will be critical to raise the awareness and sensitivity of all law enforcement officers to these situations.

Prosecutors and public defenders must also strike a balance between specialists and generalists. Recent trends suggest a shift toward greater specialization and increased use of *vertical representation* (or assigning a single attorney to handle a case all the way from preliminary hearing through sentencing, rather than splitting up the steps among several attorneys). In complex areas such as narcotics conspiracy and asset seizure and forfeiture, or in sensitive areas such as domestic violence and child abuse, specialization and vertical prosecution make sense—both in ensuring prosecutorial excellence and in providing consistency for victims and witnesses. Vertical representation can also ensure better, more consistent legal representation for indigent defendants in many types of cases.

Where appropriate and financially feasible, state's attorneys' and public defenders' offices in Illinois should consider implementing vertical representation in a broader range of criminal cases. For small offices where specialization is not feasible, the state should continue to provide help through the offices of the State's Attorneys Appellate Prosecutor and the State Appellate Defender.

“With 911 you are seeing some consolidation of services. These intergovernmental agreements are going to pave the way for some additional intergovernmental activity in the future.”

John Schlaf

Galesburg Police Chief

Using regionalization wisely

Just as the shift toward community-based policing will require enforcement agencies to strike a balance between specialists and generalists, it will also require them to balance greater regionalization of services with the tradition of local control over law enforcement matters. The key is to choose those services and service areas where regionalization makes sense.

In general, regionalization proposals should meet two basic criteria:

- Will it enhance the coordinated delivery of services?
- Will it reduce the cost of delivering those services?

In the 1990s, there will be many services—both bricks-and-mortar projects as well as strategic and technological plans—that will meet those two criteria.

Policymakers should pay particular attention to the following:

- Developing computerized information systems and other new technology.
- Building facilities such as regional crime labs, jails, and juvenile detention centers.
- Implementing disaster response plans for earthquakes, hostage situations, airplane crashes, and environmental mishaps.
- Attacking special problems—drug trafficking, gangs, and organized hate groups—that traditionally cross jurisdictional boundaries.

These and other services require a substantial investment in capital and human resources that the vast majority of agencies in Illinois simply cannot afford. Regionalization can ease the financial burden on these agencies, which in many cases are still ultimately responsible for delivering the services. But regionalization can do more than simply reduce costs: it can also enhance the collective pool of information, experience, and creativity that the criminal justice system needs to address today’s complex problems.

Regionalization also forces agencies into new management structures and new financial relationships, all of which may be foreign to many agencies. For this approach to work, there must be trust and respect among all agencies, regardless of their size or their level of resources. Larger agencies cannot afford to “look down” on smaller units or disregard their needs or viewpoints: what may seem like a small problem in a small community today may emerge as a big problem in a bigger jurisdiction tomorrow. At the same time, smaller agencies must understand and respect the natural leadership role of their larger colleagues: larger agencies not only contribute many of the resources to the cooperative effort, but they often have experience with a broader range of problems and approaches. Where possible, existing state or regional entities should be called upon to provide stability, structure, and advice to new or expanding regional efforts.

As regionalization expands in Illinois, local agencies must work to maintain their autonomy and their presence in the community. The 1990s will be a decade in which citizens will demand even greater accountability from their public servants. In criminal justice, that accountability will come through an increased visibility in the community and a greater responsiveness to its concerns.

There is little doubt that drug abuse and drug-related crime will continue to be top priorities of the criminal justice system during the 1990s. But while the level of commitment will remain high, the system's approach to the problem and its expectations of success will likely change.

As several Forum participants emphasized, there are limits to how far the justice system can go in controlling what is ultimately individual behavior: the decision to abuse drugs. Interdiction and enforcement are, at best, deterrents, not solutions. As long as there is a strong demand for illegal drugs, there will be criminal enterprises working to meet that demand—and there will be drug abuse. So while an absolutely “drug-free” society may be a worthy goal, the harsh reality is that it is probably an unreachable goal.

That assessment in no way diminishes the need to achieve substantial *reductions* in drug abuse and drug-related crime during the 1990s. Illegal drugs are still intimately connected with many of our state's most vexing social problems, including violent and property crime. In Chicago, three out of four defendants appearing in bond court are testing positive for illegal drugs, according to one ongoing study. Illegal drugs are also contributing to lost productivity in the workplace, to failure in the classroom, and to the disintegration of individual families and entire neighborhoods. In the 1990s, all parts of the criminal justice must commit anew to reversing these destructive trends by significantly reducing illegal drug trafficking and abuse.

A rejection of legalization

One byproduct of the intense public attention paid to drug abuse has been a robust debate of whether drugs such as cocaine, marijuana, and heroin should be illegal in the first place. Some opponents of legalization have complained that the debate itself has detracted from society's resolve and resources to deal with the problems of drug abuse.

To the contrary, the legalization debate seems to have forced the vast majority of public officials and citizens who do oppose the idea to re-examine, reformulate, and re-articulate their positions. That process has generated clearer, more cogent, and apparently more persuasive arguments *against* legalization. Today, only about 15 percent of high school seniors in the United States favor the complete legalization of marijuana, down from about 33 percent in the late 1970s.

While the debate over legalization will likely continue in some intellectual circles, public opinion and public policy seem to have solidified against the idea. Beyond not wanting to “surrender” on one of our thorniest domestic problems (especially when there are some signs of progress), the vast majority of people oppose legalization because of the procedural problems it raises and because of the societal problems it appears to exacerbate rather than solve.

Which drugs would be legalized, and at what potency? How would they be manufactured and sold? Who could buy them? Proponents of legalization have

FIGHTING DRUG ABUSE

“I think that once we have accepted the premise that drugs cannot be totally eliminated from our society, I believe a new focus and commitment will emerge based less on political or ideological appeasement and more on the hard-core application of principles as outlined in our current National Drug Control Strategy.”

Laimutis Nargelenas
Illinois State Police

"Legalization would be a disaster. We would have more users, more crime, and more social costs, rather than less."

Peter Bensinger

Bensinger, DuPont and Associates

thus far been unable to satisfactorily answer these and other basic questions of procedure. Without those answers, their larger argument—that legalization would reduce drug-related crime by taking away the profits of drug trafficking—quickly falls apart. From countries that have experimented with legalization, there is little evidence that illegal distribution rings simply fold up shop once they have legally sanctioned competitors. And there is little to suggest that an individual addict who currently has to rob and steal to buy drugs from a street dealer will stop robbing and stealing to buy them from a legitimate commercial business.

The experience of other countries suggests that legalization would lead to more users, not fewer; to more crime, not less; and to higher health care and social service costs, not lower ones. Given that outlook, and the fact that such a large majority of people oppose the idea, it would seem unconscionable for policymakers in Illinois to experiment with legalization as a way of dealing with the state's drug abuse problems in the 1990s.

User accountability as a policy framework

Ironically, one of the main arguments used by proponents of legalization—that drug abuse is an individual choice for which each person must ultimately take responsibility—may prove to be a useful framework for enforcing drug laws in the 1990s. The concept of "user accountability"—that there are legal, social, and economic consequences associated with using illegal drugs, and that individuals must face up to those consequences—gained popularity in the late 1980s, and will likely grow in influence in the new decade.

User accountability represents a significant shift in thinking about drug abuse and drug abusers. User accountability recognizes that there is no "typical" user: it encompasses teenage crack addicts in the ghetto as well as "casual" cocaine users in the suburbs—and everyone in between. User accountability also recognizes that it is the demand for illegal drugs that creates the supply, not the other way around. And it recognizes that while some users may be "victims" of their addictions (and of the social conditions that can foster addictive behavior), all users are still criminal offenders who have chosen to break the law.

The trend toward user accountability has already begun in Illinois. In the last few years, state and local lawmakers, along with the business community, have

Three out of four males arrested in Chicago test positive for illegal drugs.

Testing date	Any drug including marijuana	Any drug excluding marijuana	Two or more drugs	Cocaine	Opiates
October 1988	78%	69%	48%	63%	22%
June 1989	77%	76%	51%	64%	28%
February 1990	75%	69%	N/A	59%	27%
May 1990	71%	61%	N/A	50%	22%

Source: National Institute of Justice, Drug Use Forecasting Program

enacted tougher laws and policies aimed at drug users. Their message: people who persist in abusing or trafficking illegal drugs face a heightened risk today of not just spending time in jail or prison, but also of losing their jobs, their homes, their driver's licenses, and other privileges proffered by government and the private sector.

Having meaningful laws on the books is a necessary first step in ultimately holding individual users accountable. For these efforts to have an impact, however, the justice system must be able to back them up with action. Respect for the state's drug laws (and for the justice system that enforces them) is diminished if the system is reluctant or slow to react to violations. But if the system responds with swiftness and certainty, respect is enhanced. For law enforcement, this means cracking down on blatant drug activity in parks, in parking lots, and on the streets. For prosecutors and the courts, it means treating possession cases as more than minor nuisances that just take away resources from the big cases. And for correctional and treatment officials, it means providing meaningful programs for all types of drug offenders.

In furthering the policy of user accountability, the criminal justice system must lead by example as well as action. The system must adequately "police itself" against drug abuse among its own personnel. Drug testing programs that are tough but fair should be considered by all criminal justice agencies. Where testing programs are implemented, they should be backed up by comprehensive employee assistance programs that include treatment.

Finally, the criminal justice system should assume the role of educator and advocate when it comes to user accountability. Individual behavior can be changed only if people know that user accountability measures exist—and only if they perceive the sanctions are actually being applied. The criminal justice system must do a better job of educating people about the legal and social consequences of drug abuse in Illinois. One of the best ways of communicating that message is by vigorously enforcing the user accountability laws that are on the books.

Continued emphasis on cooperation

The emergence of user accountability does not signal the abandonment of interdiction and enforcement efforts targeting drug suppliers. Unless society is willing to tolerate even larger quantities of illegal drugs on the streets, and unless we're willing to surrender even more power and influence to drug traffickers, law enforcement must continue to pursue aggressive eradication and enforcement strategies in the 1990s.

In all likelihood, those strategies will continue to emphasize cooperative, multi-jurisdictional, and (in some cases) multi-disciplinary enforcement efforts aimed at disrupting the flow of drugs and putting traffickers out of business. Multi-jurisdictional units provide the resources, the information, the coordination, and the human creativity needed to keep up with spawning drug distribution networks, which seldom recognize jurisdictional boundaries.

"The U.S. Supreme Court has recognized that drugs pose a risk to the safety of the workplace. They also recognized that, under certain circumstances, drug testing is a reasonable tool to be used in limiting the risks posed by that drug or alcohol use."

William Judge
McBride, Baker & Coles

Multi-jurisdictional units, especially in the law enforcement area, must have more consistent and stable sources of funding.

Today, approximately three-quarters of Illinois' 102 counties are served by a metropolitan enforcement group or drug enforcement task force. Over the next few years, state and local officials should work to increase that number, either by starting additional units where there is little or no coverage now, or by expanding existing units to encompass a broader area. No county in Illinois is immune from drug trafficking and abuse. Consequently, no county should be without the opportunity to take part in a coordinated response to the problem.

The multi-jurisdictional approach should not stop with police agencies either. State's attorneys' offices can profit from sharing information and investigative resources, especially in the growing area of asset seizure and forfeiture. State's attorneys in seven Chicago-area counties have demonstrated that this type of approach can work—without sacrificing the prosecutorial independence of any one office. Prosecutors in other parts of the state, especially in areas where natural geographic alliances occur, should consider similar arrangements.

Expansion of the multi-jurisdictional approach to drug law enforcement will work only if some important hurdles are overcome. Chief among these is the need for multi-jurisdictional enforcement units to have *consistent and stable sources of funding*. In recent years, the state's MEG units have seen their awards from the Illinois State Police shoot up one year, only to be cut sharply the next. In the past, MEGs and drug enforcement task forces have also had to endure the roller coaster of federal funding caused by Congressional schizophrenia over support for state and local drug law enforcement. These units cannot maintain a consistent level of pressure on drug traffickers if their budgets are not similarly consistent.

Proceeds from the forfeiture of drug dealers' assets will provide important new resources for drug law enforcement in the 1990s. With the passage of tougher forfeiture laws in Illinois, including one measure that allows authorities to seize real property for the first time, there will be a temptation to rely on forfeitures to make up for other gaps in resources. However, criminal justice administrators and the officials who control their budgets must recognize that asset forfeiture is an *inconsistent* funding source, and no substitute for the traditional and more stable sources of money these units need to carry out long-range, coordinated plans. Asset seizure and forfeiture should be pursued aggressively in the new decade. But the focus must be on tougher enforcement—on hitting drug traffickers in the pocket-book where it hurts the most—not on budgetary fixes.

The importance of local agencies

Multi-jurisdictional units won't be the only agencies concentrating on drug law enforcement in the 1990s. An enforcement strategy that stresses user accountability as well as interdiction will require the resources of all agencies, especially municipal police departments and county sheriffs' offices. These agencies still account for the majority of drug arrests in Illinois. And as the agencies closest to, and most accountable to, the people, they are also in the best position to understand and respond to specific community concerns over illegal drugs and drug-related crime.

Many local law enforcement agencies will probably expand their specialized narcotics units during the decade. But they shouldn't stop there: local agencies must commit to improving the drug-fighting capabilities of *all* of their officers. Regular, ongoing training—in detecting drug offenses, in building cases (including determining if there are assets that could be forfeited), and in making successful arrests—should be provided to all municipal and county law enforcement officers in the state, not just narcotics agents. The patrol officer who makes a traffic stop or responds to a burglary should be trained to look beyond the obvious and to search for clues of drug trafficking and abuse.

Officers must also be alerted to new trends in what drugs are being abused and how they are being manufactured, transported, and sold. This information will help individual officers detect the emergence of new drugs and new drug distribution networks in their communities, and it will help law enforcement agencies target problem drugs before they gain a foothold. This type of early warning will be especially important in the fight against new synthetic drugs such as methamphetamine and re-emerging drugs such as heroin and LSD.

Integrating enforcement, education, and treatment

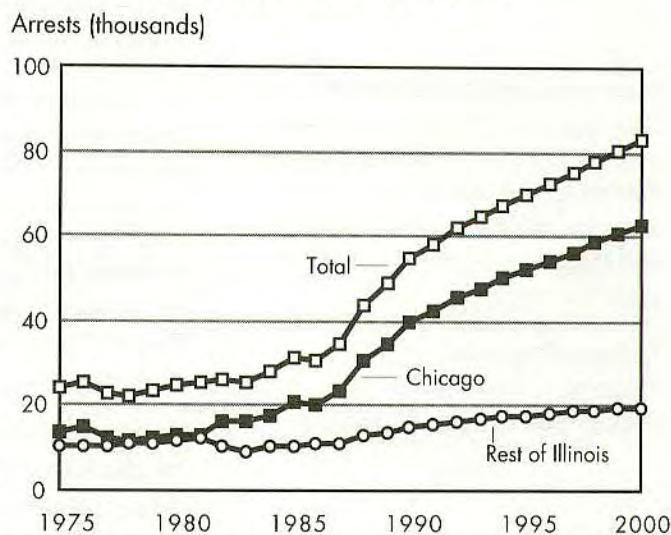
As Illinois enters the 1990s, one of the most hotly debated drug policy issues continues to be the allocation of resources among enforcement, education, and treatment programs. That debate continued at the Forum. Interestingly, it was often law enforcement officials who argued most passionately for more resources for drug education and drug treatment, sometimes at the expense of enforcement.

There is a danger, however, in this how-do-we-slice-up-the-pie approach to drug abuse and crime. The danger lies in viewing enforcement, education, and treatment as separate, even competing, elements in the fight, when in reality, all three are interdependent parts in the same basic system. It is these connections—between enforcement and education, enforcement and treatment, and treatment and education—that should be emphasized in a more coordinated attack on drug abuse in the new decade.

This holistic approach in no way reduces the justice system's traditional role of leadership in fighting drug abuse. By enforcing the law—by reminding people that there are legal consequences (and increasingly severe ones, at that) to drug abuse—law enforcement remains one of the most powerful forms of demand reduction. Law enforcement serves as the stick that gets people to pay attention to drug education messages and to stay in drug treatment.

At the same time, criminal justice agencies at all levels are becoming more involved in providing drug education and treatment referral services in their communities. While that role may be new for many agencies, it is a natural part for them

If current trends continue, arrests for drug offenses in Illinois could double by the year 2000.



Source: Illinois Uniform Crime Reports; Illinois Criminal Justice Information Authority (projections)

to play, especially in communities where the police department or prosecutor's office is among the most influential local institutions.

In the area of drug abuse education, specially trained police officers throughout the state are now going directly into some elementary classrooms under programs such as DARE (Drug Abuse Resistance Education). But several Forum participants pointed out that drug education programs should not stop with 5th and 6th graders. Curricula should be expanded to include both younger schoolchildren and older teenagers. Law enforcement should work with school officials to ensure that drug education courses are integrated into the overall curriculum, not treated, by either educators or students, as some sort of "free period." Drug education must reach beyond the school walls as well. Law enforcement should work with businesses, community groups, religious institutions, and other organizations to keep the prevention message consistent, relevant, and in the public eye.

"Law enforcement is the stick. You've got to offer people a choice and say to them, if you do this—go into treatment—your life might improve, but if you don't, then this bad thing is going to happen to you."

Thomas Fitzgerald
Presiding Criminal Judge
Circuit Court of Cook County

In the area of treatment, the criminal justice system must continue to exert leverage in getting offenders into treatment, and a certain level of coercion to keep them there. Treatment must gain new respect—among offenders, judges, lawmakers, and the public—as a tough and viable sentencing alternative, not a cop out. The criminal justice system can foster this respect by doing a better job of evaluating offenders who are candidates for treatment, of monitoring those who are in treatment, and of cracking down on those who violate treatment conditions. This will likely require expanded drug testing of people at all stages of the criminal justice process.

With community-based treatment slots in such short supply, and with little hope for immediate relief, the criminal justice system should look to expand its own drug treatment and education facilities in prisons, jails, and community-based correctional centers. Largely with the help of federal funds, the Illinois Department of Corrections and some county jails have recently expanded their treatment and education programs. But such programs are still reaching only a fraction of the offenders who need treatment. More needs to be done, and not just when federal dollars are available.

The criminal justice system is missing a valuable opportunity if it ignores the drug treatment and education needs of inmates. Research shows that many of these offenders were incarcerated in the first place because of substance abuse. Without meaningful intervention, many of them are likely to return to a life of drug abuse and crime once they are released.

As the 1990s begin, drug abuse and crime remain atop the list of domestic issues that concern Americans—a spot they've held for nearly five years. But despite the consistent level of public concern, state and local governments in Illinois still devote about the same percentage of their combined budgets to the justice system today as they did a decade ago—approximately 10 cents out of every dollar. And in communities such as Chicago and many suburban areas, the percentage of municipal spending devoted to police protection actually declined in the 1970s and 1980s.

Over the same period, however, criminal justice activity in the state—the number of reported crimes, the number of courts cases filed, the number of people in jail and prison—escalated sharply. By the end of the decade, criminal justice demands in Illinois were clearly outpacing the level of resources devoted to just about every part of the criminal justice system.

Bridging this gap between demands and resources—or at least coping with it more efficiently—was a major topic of the Forum. Criminal justice leaders in Illinois seem ready to explore solutions beyond simply calling for more federal dollars. New (and non-traditional) sources of local revenue, tighter budgeting practices, and better planning all seem to be part of the equation.

The revenue picture

The job of closing the gap between criminal justice demands and resources isn't made any easier by the mixed signals the public continues to send. Surveys, letters to the editor, and other barometers of public opinion make it clear that citizens want more, not fewer, services from the criminal justice system. At the same time, the public remains circumspect about pumping more tax dollars into the bureaucracy. For criminal justice and other government leaders, the challenge is to find creative and stable sources of revenue that respond to these contradictory sentiments about crime, illegal drugs, and taxes.

Based on discussions at the Forum, here are some revenue sources that could become increasingly important in the 1990s:

- *Special public safety taxes and surcharges.* These revenue sources have already proven to be effective—and politically popular—in many jurisdictions. The City of New Orleans, for example, raised \$13 million in 1988 from an \$8-per-person public safety tax. Similarly, Missouri's Jackson County (Kansas City) recently began collecting a special quarter of a cent sales tax to fund anti-drug abuse programs after voters there endorsed the idea. Here in Illinois, more than 130 communities—about 92 percent of the jurisdictions that have voted on the measure—had approved surcharges to their monthly telephone bills to pay for 911 emergency systems as of October 1990, and several more approved 911 referenda in the November elections. These and other examples suggest that a public generally wary of higher taxes is willing to budge if the new revenue is targeted for problems that concern them.

FINANCES AND PLANNING

"The answer cannot be to spend more money if the people don't want to pay more. You must either convince the people that they should pay more taxes for the criminal justice system and education, or we have to better utilize what we've got."

Howard Carroll
State Senator
1st Legislative District

• *Criminal fees and fines.* After increasing through much of the 1970s, revenue from criminal fees and fines, when measured in *constant* or inflation-adjusted dollars, declined in Illinois between 1981 and 1986 (the last year for which data are available). Criminal justice officials can reverse this trend by redoubling their efforts to collect fees and fines, not just from those offenders who can readily pay, but also from criminals who have traditionally avoided fees, fines, and victim restitution because of indigence. State law already allows some of these expenses to be paid

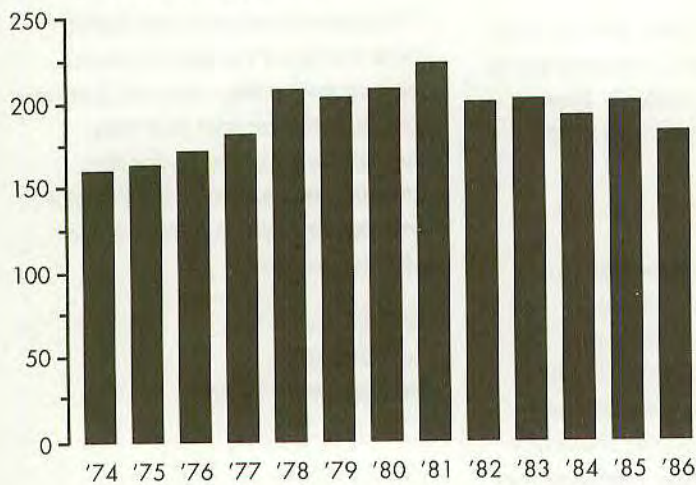
from the wages of gainfully employed inmates. Creating more prison-industry and work-release jobs, and expanding the use of this garnishment concept, may provide even more revenue opportunities.

• *User fees.* With their resources stretched, many law enforcement agencies are rethinking their policies on providing services such as unlocking car doors, responding to burglar alarms, and directing traffic at private events for no charge. Instead of just discontinuing these services, however, many jurisdictions have begun charging “user fees” for them. This trend will likely accelerate in the 1990s, not just among law enforcement departments, but among prosecutors, the courts, and other agencies as well.

• *“Beneficiary fees.”* In addition to collecting more fees from the individual users of its services, the criminal justice system is beginning to look to the direct beneficiaries of certain programs for financial support as well. In 1991, for example, auto insurance companies in Illinois begin paying the state an annual \$1-per-vehicle assessment to fund motor vehicle theft prevention programs—an initiative that officials hope will result in fewer thefts and lower costs for the insurance industry. In designing other enforcement and prevention programs, policymakers may want to look to other such beneficiaries for direct or indirect support.

After increasing in the 1970s, the fee and fine revenue generated by local criminal justice agencies has generally declined since 1981.

Local fee and fine revenue, constant 1988 dollars (millions)



Source: Chicago Department of Finance; Office of the Cook County Comptroller; Office of the Illinois Comptroller

One other source of revenue that will become increasingly important to criminal justice in the 1990s is the proceeds of assets seized from drug traffickers and other criminal conspirators. While this issue is discussed in greater depth on page 14, one point bears repeating. Forfeitures are a profound enforcement tool—hitting traffickers and others where it hurts the most—as well a good way to provide additional resources for the criminal justice system. But forfeitures are no substitute for the more consistent and stable revenue sources needed to fund anti-crime efforts.

Budgetary reform

Even as they search for new sources of revenue to fund essential or innovative programs, criminal justice administrators in the 1990s will undoubtedly be called upon to reduce spending in some areas as well. For public agencies in general, this has never been an easy task. At budget-making time, most government managers have gotten in the habit of seeking at least a “maintenance-level” appropriation, possibly with a small cost-of-living increase.

But in an uncertain economy, when all government agencies will be expected to tighten their belts, traditional budgeting practices may no longer work. Maintaining the status quo—without paying greater attention to such things as establishing goals, selecting priorities, and evaluating success—won’t be tolerated by either lawmakers (who control the purse strings) or citizens (who control the ballot box). Efficiency and accountability will likely be the guideposts of budget making in the new decade.

Some speakers at the Forum urged the movement toward *zero-based budgeting* as a response to these trends. Under zero-based budgeting, the financial slate is essentially wiped clean at the beginning of each budget cycle, and is built up from zero. Each item in the budget must be justified on the basis of cost or need, not simply continued because it existed the year before. By requiring managers to more thoroughly evaluate programs and to more scrupulously justify their continuation, zero-based budgeting is designed to control spending and promote accountability.

For many criminal justice agencies, however, zero-based budgeting may not be the most efficient response. Because these agencies have extensive constitutional and legislative mandates that must be fulfilled—and paid for—each year, building their budgets up from zero is neither possible nor practical. That doesn’t mean, however, that criminal justice administrators can afford to ignore the underlying principles of performance and accountability contained in zero-based budgeting and other reforms. In the 1990s, criminal justice spending plans will be scrutinized more closely than ever. It will be important for criminal justice managers to understand new concepts in public financing and budgeting—how they work and what impact they could have on programs and services. It will also be critical for agencies to improve the methods by which they gather, analyze, and communicate information on the performance to their programs.

Reinvesting in research

With the decline of federal funds and the press of such serious problems as drug abuse and violent crime, some criminal justice agencies have scaled back their research and evaluation efforts in recent years. In the 1990s, these capabilities will have to be rebuilt if agencies are to stand up to the increased scrutiny of budget-makers and the public.

“It is time for all of us who control the purse strings, especially now in a time of scarce resources, to say [to program managers], ‘Don’t just come in here and ask for more money based on the cost of living and what the dollar is worth in 1978.’ As professionals, we have to insist on people justifying their budgets.”

John Jemilo

Chicago Crime Commission

"I think it's clear that research, criminal justice, and the practitioner do have a common purpose. Unfortunately, much in criminal justice—much in policing—suffers from the idea that we do what everyone knows works. It's ludicrous, but it's almost the essence of the political theme of the day."

Allen Andrews

Peoria Police Superintendent (retired)

Research will be critical for prioritizing those problems that need attention and deserve funding. In a time of scarce resources, not every problem can be adequately addressed (and it generally makes more sense to adequately fund a limited number of programs than to inadequately fund a larger number). Making sound planning decisions will, in many cases, depend on the quality of the up-front research.

State and local agencies should be guided by a few key principles in ensuring the usefulness of their research:

- *Relevancy.* "Policy-relevant research" has become a catchphrase in many circles, but the connection between the two cannot be overstated. Researching yesterday's trends is useful only if the results can readily support today's (and tomorrow's) policy and budget decisions. Speed in collecting, analyzing, and communicating data is also critical, especially with complex problems such as drug abuse that change quickly.

- *Locality.* Research must be applicable to the jurisdiction that is making the planning decisions. In other words, municipal officials should not rely on a statewide study of burglary to design a local burglary prevention program. Local officials should look to statewide research for guidance on what new and emerging issues to look out for and how to analyze them, but local agencies (or regional cooperatives) must take responsibility for their own research.

- *Quality.* Because poor data will ultimately lead to poor decisions, it makes no sense to invest in research without also investing in data quality measures. Establishing the procedures and technology for collecting relevant data in the first place, and following up with periodic data quality audits, are essential.

- *Funding.* To be a valuable component of the planning and budgetary process, research must be adequately and consistently funded. At a time when operations budgets may have to be trimmed, spending money on research may be difficult for some people to understand. Criminal justice leaders must make the case for research, explaining that a relatively small investment can lead to vastly improved operations.

In addition to supporting up-front planning, research in the 1990s will play a more important role in *evaluating* the success of programs that are funded. In the rush to address problems such as drug abuse and drug-related crime, policymakers have not always paid adequate attention to evaluation. Major initiatives in drug education, drug treatment, and intensive probation were sometimes launched in the 1980s without formal mechanisms for evaluating their success.

As they experiment with community-based policing, regionalization, correctional alternatives, and other new approaches in the 1990s, criminal justice policymakers must be sure to include an evaluation component in each program design. Doing this right up front not only promotes accountability, but also ensures that the data needed to conduct periodic evaluations will be properly collected.

Coordinated planning

A new commitment to research and evaluation at the local level will help improve the planning and operations of individual agencies. A bigger challenge remains, however: bringing together officials from different parts of the criminal justice system, from different jurisdictions, to look at the future on a grander scale.

The Forum was a first step in rejuvenating the planning process on a statewide level in Illinois. It identified some of the key issues facing the state's criminal justice system, and some of the important trends state and local leaders can expect in the new decade. The key now is to continue the process at the state level, while expanding it at the local and regional level as well.

State-level planning will continue to play an important role in the 1990s. In addition to helping set priorities for criminal justice programs operated by the state government, state-level planning can provide guidance and support for local planning efforts as well. By looking at the big picture, it can anticipate new problems, spot emerging trends, and chart possible new directions.

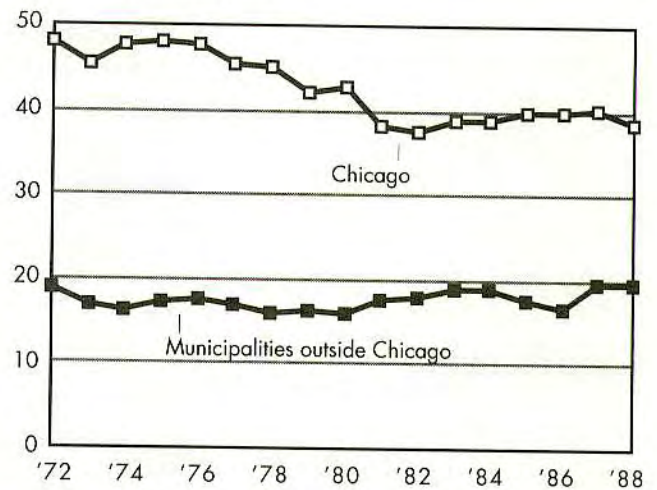
As important as state-level planning is, criminal justice is still primarily a function of local government. And local planning is critical, especially at the county level. The county is not only a natural geographic and political entity, but also a key player in criminal justice planning, financing, and operations.

To improve their planning capabilities, counties should consider establishing some sort of criminal justice coordinating council, as some counties have already done. To be effective, these councils must have real authority (and resources) for conducting research, for setting policies, and for recommending resource allocations to their county boards.

It is also important that each council include representatives of municipal, state, and federal government, as well as county officials. That way, the council can serve as an early-warning system, alerting all levels of government how changes in the policies or programs of one agency can affect the others (for example, how a new municipal enforcement effort might affect the county's jail, court system, and probation department). Such advance warning could help the criminal justice system avoid some of the imbalances that occur when changes in one part of the system substantially alter the workloads of other agencies.

With criminal justice in some parts of Illinois getting a smaller share of municipal budgets, coordinated planning becomes even more critical.

Percentage of municipal government expenditures devoted to criminal justice



Source: Chicago Department of Finance; Office of the Illinois Comptroller

CHANGES IN TECHNOLOGY

For many criminal justice agencies, the pace of technological change continues to be a source of frustration. Most criminal justice managers recognize the benefits of technology and the need to stay current. But obtaining that technology is often a difficult, expensive, and time-consuming process.

This problem can be particularly acute at the local level, where criminal justice agencies must often compete with the myriad other demands placed on their municipal and county data processing departments—everything from parking tickets to public health and water and sewer bills. By the time these multi-purpose data processing shops get around to criminal justice applications, the recommended technology may have become inappropriate or obsolete, and the planning and procurement process must start all over again.

In the 1990s, the pace of technological change will accelerate, not slow down. Promising new advances in artificial intelligence, mobile workstations, DNA profiling and other identification technology, imaging, and photonics are already moving from experimentation into real-world applications. The challenges for criminal justice managers and public policymakers are twofold: to stay on top of these new technologies, and to correct some of the organizational and technical barriers to innovation that exist today.

Improving CCH: A prerequisite to change

Many of the new information and identification technologies discussed at the Forum involve the faster, more efficient, and more widespread use of criminal history record information. If these technologies are to make a difference, however, the quality of CHRI in Illinois, and the timely delivery of accurate and complete information, must first be improved. It makes little sense to upgrade the methods by which computerized criminal history records are disseminated or used, if the information itself is inaccurate or incomplete or if it is not furnished when and where it is needed.

Such CCH problems in Illinois have been documented in a decade of audits of the state central repository for criminal history records. These audits, by the Authority and other organizations, have led to significant improvements, including a com-

The majority of arrests posted to the state's Computerized Criminal History system do not have court dispositions.

Year of arrest	Disposition posted	Disposition missing	Total
Before March 1976	44 (34%)	84 (66%)	128 (100%)
After March 1976	195 (49%)	201 (51%)	396 (100%)
Total	239 (46%)	285 (54%)	524 (100%)

Note: Based on a representative sample of 524 arrests. Reporting of court dispositions in Illinois became mandatory on March 16, 1976.

Source: Illinois Criminal Justice Information Authority 1988 Audit

plete redesign of the CCH system by the Illinois State Police. Nevertheless, the Illinois system, as well as the rap sheet database maintained by the Chicago Police Department, continue to be plagued by missing dispositions, inaccurate records, and processing delays—all of which deprive criminal justice officials of the information they need to make crucial decisions affecting charges, bond amounts, sentencing, and other matters of individual freedom and public safety.

Many of the problems can be traced to the local agencies that are required to report criminal history data to the State Police. Many local agencies continue to ignore the Uniform Dispositional Reporting (UDR) law, which spells out exactly what information law enforcement, prosecution, and correctional agencies must report to the CCH system. The result is arrest events that have no follow-up dispositions, duplicate rap sheets created for individuals who are already on the system, and a variety of other problems.

For new technology to be useful in the 1990s, the CCH problems of the 1980s must be addressed. Local agencies must be better trained on how to report data to the state, and their reporting practices must be routinely audited. The State Police must also do a better job of monitoring incomplete records on the CCH system and bringing non-reporting agencies into compliance with the law. The huge investment the state has made in its CCH system, and the investment it is likely to make in related technology in the years ahead, will be wasted if the overall quality of criminal history record information in Illinois is not significantly enhanced.

New and emerging technologies

Because of their resource advantages, federal and state agencies have typically taken the lead with new and emerging criminal justice technologies. But in their planning and implementation process, these agencies sometimes fail to contemplate how *local* units of government will be able to use the technology to their advantage. As a result, new technology may improve the operations of the state or federal agency that installs it, but it may have little impact on the local agencies that, in many cases, stand to benefit the most.

As Illinois explores, implements, and refines new criminal justice technologies in the 1990s, it must ensure that the technology is accessible to local agencies and that it satisfies their operational and information needs. This will be especially critical in four of the major technological areas discussed at the Forum:

- *AFIS*. In the last five years, practically every state has either installed an automated fingerprint identification system or is in the process of doing so. Yet, only a handful of states have given much thought to how local criminal justice agencies can access these systems easily and directly. In Illinois, the lack of direct local agency access to the State Police's AFIS has prompted some local departments to seek their own regional system, a solution that may improve local access to the technology but which almost certainly will increase costs and reduce coordination as well.

"If you can get the card to the AFIS, the AFIS can perform the functions that it can do so well. If you can't get the card to the AFIS, you don't have the AFIS."

Glenn Fishbine
Digital Biometrics, Inc.

The technology for providing local agency access already exists, and with the advent of "live scan," or direct electronic fingerprinting, that capability is being refined all the time. Other enhancements aren't too far away either: satellite transmission of fingerprints; higher resolution images (including palm prints and mug shots); more automated interfaces with CCH systems; and smaller, more mobile fingerprint terminals. For the 1990s, Illinois needs a policy that integrates these developments into a more coordinated and more accessible AFIS capability for the entire state.

- *DNA profiling.* With more, and higher-level, courts finding DNA evidence to be admissible in criminal trials, the focus is shifting away from the legal debate and toward a variety of policy and operational issues that will affect the use of DNA technology in criminal justice for several years to come. At the top of the list are two very complicated issues: (1) whether a centralized DNA database should be created for use in solving crimes and positively identifying offenders, and (2) if so, how exactly it should be done.

Fingerprint databases were built up over the years with prints taken from criminal suspects. With DNA, some people have suggested that a more comprehensive database could be created from blood samples that are routinely drawn from newborns and other hospital patients, as well as from criminal suspects. This approach, however, raises serious constitutional and privacy issues that must be studied and resolved before laws are expanded and policies are set affecting DNA collection. The goal must be a policy that balances the legitimate needs of the criminal justice system to identify offenders with the privacy rights of all citizens.

- *Artificial intelligence.* The 1980s were a decade in which computer theorists debated and defined the concepts of artificial intelligence, expert systems, and knowledge-based processing (generally, the ability of computers to perform reasoning and learning functions normally associated only with humans). The 1990s are likely to be a decade in which real-world applications of the technology finally come of age.

For the criminal justice system, taking advantage of this technological breakthrough will necessitate new partnerships among government, academia, and the private and non-profit sectors. The Authority and the Illinois Coalition Against Sexual Assault followed this approach in developing an expert system that guides prosecutors and victim advocates through the state's complex sexual assault laws and recommends what charges that can be filed given the circumstances of a particular crime. (Some Forum participants suggested that this type of system be expanded to other complex legal areas, or even to the entire criminal code.) With the vast amount of data that the criminal justice system already collects, the potential for other applications of artificial intelligence is vast—from deploying personnel to optimizing the use of jails, courtrooms, and other facilities and predicting crime patterns.

• *Imaging.* Despite advances in technology, the major criminal justice information systems in Illinois are still driven mainly by data (words and numbers) that are collected on paper forms and then entered manually into computers. There are exceptions, of course: some county jails are collecting video mug shots of people they book, and other agencies are using optical character readers to input data into their computers. But in general, the criminal justice system has been slow to adopt imaging technologies—bar coding, text-to-digital conversion (writing pads), and voice-video-data interfaces—that could speed up data entry and retrieval, reduce input errors, and provide information in a variety of usable media.

In the future, these technologies will be made increasingly viable with the growth of photonics—fiber optic technology that uses light to transmit data, voice, and video information faster and over greater distances. If the criminal justice system is to move toward greater technological efficiency (including reduced reliance on paper forms), experimentation with and application of new imaging technologies must be accelerated.

New organizational structures

The barriers to greater efficiency in the criminal justice system are not just technical but, in many cases, organizational as well. The adoption of new technology inevitably requires new organizational structures—within a single agency that installs a computer system, and among different agencies that will share a common technology. In both situations, organizational planning must proceed hand-in-hand with technical planning.

The growth of 911 emergency systems illustrates what can happen when technology moves forward in the absence of organizational planning. In some parts of the state where voters in neighboring communities have approved new 911 systems, some local government officials have resisted plans to centralize and coordinate dispatch services. So even though the technology is ideally suited for coordination, jurisdictions continue to maintain separate dispatch centers, an approach that ultimately increases costs, reduces response times, and inhibits communication.

If the criminal justice system is to take advantage of the new technologies that will shape the field of information processing into the next century, it will have to embark now on bold and innovative organizational arrangements that go beyond centralized dispatching. In some parts of the state, especially Chicago and Cook County, the entire “information infrastructure” is not keeping up with the tactical and strategic demands being placed on it. And trying to solve that problem piecemeal—by separately upgrading the various city, county, regional, and state information systems that criminal justice officials rely on every day—is a formula for slipping farther and farther behind.

“With any technology, but particularly so as you get into the more strategic technologies, there are very important human issues and organizational issues that cannot be ignored. Often times people do ignore them, and the technology introduction is not successful.”

Larry Downes
McKinsey & Co.

An alternative approach—the creation of a Chicago-Cook County Criminal Justice Information Center to handle the enormous task of upgrading and maintaining the information infrastructure in the Chicago area—has been discussed, largely in academic circles, for the last few years. This idea should be revisited, in a more formal debate, by key criminal justice and government policymakers, and the potential for similar arrangements in other parts of the state should also be explored. The guiding principle behind such efforts should be to improve efficiency and reduce costs by coordinating and centralizing data administration, maintenance, and communications.

As they incorporate new technology into their individual agencies, criminal justice administrators will have to rethink their own organizational structures as well. For years, many agencies isolated computers in the back room, where they served primarily as tactical tools. Today, with the explosion of powerful and easy-to-use microcomputers, information (and the decision making that goes with it) can get to lower and lower levels in criminal justice organizations. In other words, technology can become an important *strategic* tool. This change will occur, however, only if archaic organizational arrangements are adjusted so that the tactical and strategic people who need data are able to get it easily and quickly.

Attracting qualified people to careers in criminal justice, and then retaining and developing those people, has always been a major challenge for criminal justice managers. In the 1990s, the challenge will be greater than ever, as managers are faced with a glut of job candidates, but increased expectations of the skills that these people must have.

According to labor experts, the number of people seeking front-line jobs in criminal justice (and other public sector fields) is likely to increase substantially in this decade as private industry eliminates more manual-labor jobs through technological expansion. However, technological skills will be critically important to a growing number of jobs in criminal justice as well. So will the ability to understand and carry out some of the new approaches to controlling crime—things such as community-based policing and cooperative task forces. The job of criminal justice managers will be to sift through the larger pool of job candidates to find those who possess not just the basic skills to get the job done, but also the curiosity, the dexterity, and the flexibility to adapt to changes in the profession and to become the criminal justice leaders of the next century.

The role of the educational system

Developing the criminal justice leaders of tomorrow must start with improving the educational system of today. It is clear that children can't learn—and aren't learning—when their elementary and high schools are plagued by crime, gangs, illegal drugs, and the intimidation and disruption that go with them. How effectively the justice and educational systems respond to these problems now will help determine how qualified the workers of the future (including those entering fields in criminal justice) will be.

In the specific area of criminal justice education, the performance of colleges and universities will be especially important in the new decade. The expanded use of technology and the adoption of new approaches to crime control will require that more entry-level personnel in criminal justice have at least some college, if not a four-year degree in many cases. Colleges and universities must be prepared for this trend, first, by providing adequate resources for their criminal justice programs, and second, by adjusting their curricula to reflect changes in the profession. This will mean more attention to computer technology and its application, to critical thought and analysis, and to interpersonal communications. It will also mean promoting greater intellectual curiosity and exposing students to more cultural diversity.

These educational changes will be critical not just at four-year institutions but at community colleges as well. Community colleges must evolve beyond vocational training to provide their criminal justice students with greater exposure to the liberal arts. Stronger credentialing and evaluation of criminal justice educators will also be important.

EDUCATION AND TRAINING

"In the past, the difference between education and training, when it is recognized, has been couched in terms of them being competitive. Instead, the two should be viewed as cooperative—they complement each other."

Dennis Nowicki
Joliet Police Chief

With the cost of higher education continuing to spiral (and with jobs in criminal justice still relatively low paying when compared to many other professions), the justice system must provide more incentives for young people to enter criminal justice programs at colleges and universities. A handful of jurisdictions around the country are doing this through police corps programs which provide students with scholarships and summer internships in exchange for a pledge to work for the police department for a specified period upon graduation. These programs benefit both students (who receive not only money for college, but also on-the-job experience and a guaranteed job after graduation) and law enforcement agencies (which receive temporary help in the summer months and a steady flow of qualified candidates for full-time jobs).

Such efforts do not have to stop with police departments either. Prosecution, public defense, probation, and correctional agencies can all benefit from programs that attract and pre-train qualified entry-level people. The main stumbling block to broader use of these programs is, of course, funding—especially among local jurisdictions. If more jurisdictions are to establish and sustain meaningful scholarship programs, they may need leadership and financial support from the federal and state governments.

Scholarship programs or not, criminal justice agencies in the 1990s will have to step up their recruitment on college and university campuses if they are to compete for the best candidates with the growing number of private firms involved in justice-related businesses. Those agencies that increase their presence at recruiting functions and that make their marketing approaches more sophisticated will be the ones that consistently attract the most qualified people. (Smaller agencies that cannot afford their own recruiting programs may consider working with other agencies or with their professional associations to increase their recruitment efforts.) Increased recruiting by criminal justice agencies may also attract qualified students who had never considered a career in criminal justice, but who could excel in the more complex and demanding times that lie ahead.

The importance of ongoing training

As the Forum itself demonstrated, the opportunities for ongoing criminal justice training have proliferated in recent years in Illinois. Today, more criminal justice professionals from more agencies are devoting more hours to training than ever before.

Yet in some agencies, both management and staff still hold an antiquated and limited view of what training is and what benefits it provides. Too few criminal justice administrators view staff training as essential to getting the job done. Instead, the motivation for training is often to protect a department from liability claims or to keep up with what other agencies are doing. And for many staff people, training represents little more than a chance to get away from the daily routine every now and then. Until attitudes such as these change, neither criminal

justice staff people nor the administrators they report to can take full advantage of the extensive training possibilities that exist today, or the new developments in training that will shape the future.

In addition to concentrating on basic, statutorily mandated training, the criminal justice system in the 1990s will have to refine its training curricula to keep up with new crime problems, with changes in how the system approaches those problems, and with new approaches to training itself. For example, training about new drugs of abuse, how manufacturing and distribution methods are changing, and how to detect drug violations and build drug cases (including the tracing and ultimate forfeiture of assets) will be important for police and prosecutors. So will training on gangs—where they are operating, how their criminal enterprises work, and where and how they recruit new members—especially in those cities and suburban areas where gang activity appears to be on the rise.

In the area of technology, police and prosecutors will have to learn more in two areas: how offenders use computers to commit crimes, and how law enforcement can use computers to investigate and solve crimes. More training for police and prosecutors will also be needed in such emerging areas as securities fraud and environmental crime. And more in-depth attention will have to be devoted to bias crime, new criminal identification techniques, victim services, and other topics that were only touched on at the Forum.

As police, prosecutors, and other criminal justice officials adopt community-based approaches to law enforcement, they will also need training in a whole new realm of topics. Greater awareness of cultural issues—training in other peoples' customs, values, and languages—will be important in many parts of the state. So will personal development and professional identity courses that help professionals better understand their values, emotions, and prejudices. Training in organizational behavior and group dynamics may also be beneficial.

These and other new directions in criminal justice training may produce some initial skepticism and resistance among line personnel. So in addition to simply developing and offering new courses, criminal justice managers will have to demonstrate the necessity and the value of this type of training—both to help individual staff members do their jobs better now, and to prepare them for roles as criminal justice administrators in the future.

The lost art of management training

In private industry, it is commonplace for senior staff members to receive training in management issues *before* they are promoted to a managerial position. And while the amount of training may decrease as managers move up the corporate ladder, most companies still pay considerable attention to ongoing management training throughout an executive's career.

“Another area [for training] is a greater awareness of cross-cultural issues. Officers not only get in touch with the needs of how you deal with somebody different from yourself, but it also allows you as a trainer to get in touch with some of your own biases and prejudices in dealing with persons different from yourself.”

Stanley Lubarski

Cook County Court Services
Department

“Criminal justice should develop a corporate commitment to employee growth and management training as a process, not a one-time event.”

Walter Groesch

Illinois Department of Corrections

In criminal justice, regular management training—either before or after the fact—is generally the exception rather than the norm. Like other organizations, criminal justice agencies tend to promote their best operational people. But too often they fail to provide those people with even basic training on how to be a good manager. And even fewer jurisdictions have made ongoing management training a priority for their criminal justice administrators.

As demands on the criminal justice system escalate in the 1990s and beyond, the system will need top-level administrators who can make the most of the limited resources that are available to them. This will be possible only if the justice system, and the lawmakers who appropriate its funds, make a major commitment to the training of management personnel.

Management training in criminal justice will have to incorporate many of the basics that aren't being covered today—hiring, promotions, budgeting, team-building, and labor relations, to name a few. At the same time, management training must continually explore new theories and practices in more complex areas such as organizational behavior, technology, long-range planning, public financing, and research.

Comments from the Forum suggest that criminal justice managers in Illinois want more training in more management topics. The main obstacle seems to be the accessibility of such training, especially to managers in jurisdictions that cannot afford to send their people to large cities around the country where training facilities are typically located. Providing more accessible, regionally based management training sessions, or using teleconferencing and other communications techniques to link people in different geographic areas, are possible ways of getting around this problem.

Finally, criminal justice managers (and the mayors, county board chairmen, and other officials they report to) must be open to other approaches to management training. Sabbaticals, exchange programs, and other techniques can give managers a fresh perspective on the problems and challenges of their agencies.

One unmistakable theme that emerged from the Forum was a trumpet call for government to shift its priorities—and more of its resources—to the problems and needs of our young people. “Kids should be the focus,” “Children must be our top priority,” and other calls to action were voiced at a variety of sessions, not just those dealing specifically with juvenile crime.

And the appeals for more resources and more attention did not stop with justice-related programs. Several panelists decried recent cuts in federal funds for child welfare, food stamps, college grants, and other social programs. It was these cuts, they argued, that have contributed to declines in parenting skills, families, and social institutions—which in turn have contributed to increases in juvenile delinquency and violent crime.

For the justice system, this argument—however valid it may be—presents a quandary. While the long-term solutions to the problems of juvenile delinquency may rest outside the justice system, the problems of juvenile crime are very real *right now*. It is clear that the justice system cannot wait for the social welfare system to “solve” the problem of juvenile crime. The justice system must act now, before the demographic trends that loom on the horizon dump even more young people in the lap of the system later this decade.

But what action should the justice system take? The ongoing debate of whether to get tougher with juvenile offenders, become more lenient, or stay the course continued at the Forum. And while no clear consensus of opinion emerged on this basic issue of philosophy, there was agreement that to attack the problem of juvenile crime, government officials must understand and respond to the complex environment in which young people live today.

An increasingly complex world

Thirty years ago, the most serious “offenses” perpetrated in the schools were likely to be chewing gum or passing notes in class. Today, students in Illinois high schools, junior highs, and even some elementary schools face a much different scene, one tinged with drug trafficking and abuse, weapons, gang violence, and intimidation. Ongoing research by the Authority suggests that while these problems are particularly acute in Chicago and other urban areas, few parts of the state are immune from their disruptive influence on the educational process.

Crime in the schools is just one of many influences that are profoundly shaping the lives and perceptions of young people today. Family issues—higher divorce rates, smaller families, single-parent families, and more families in which both parents work; sexual issues—AIDS, teen pregnancy, abortion, and birth control; the dearth of heroes and community role models; economic pressures that force more teenagers to work—child welfare experts report that these and other factors are contributing to an underlying sense of confusion and detachment that, for many young people, translates into anti-social and criminal behavior.

Unfortunately, the range of problems facing young people may get worse before they get better. Recent increases in the number of “cocaine babies”—children born

JUVENILE JUSTICE

“When you add to the list of problems [things such as] increasing dropout rates in high schools, more teenage pregnancies, more drug use, and nutritional deficiencies caused by drug use during pregnancy, it’s not hard to understand the scope of the problem that juvenile crime places before us.”

Michael Shabat

First Assistant State’s Attorney of Cook County

"Every prison they build is going to be another monument to neglected youth."

Mearl Justus

St. Clair County Sheriff

with cocaine or other illegal drugs in their fragile systems—and children affected by fetal alcohol syndrome will likely show up as increases in juvenile delinquency in the years ahead. Increases in child abuse and domestic violence—whether they be the product of actual increases in these crimes or just better reporting of them—suggest that for many children today, violence has become an accepted way of life. And among inner-city children, everyday violence has spilled out of their homes and into the streets: one recent survey found that nearly three-quarters of elementary and high-school children on Chicago's South Side had witnessed a violent crime in their short lives and nearly half had themselves been victims of violence (Community Mental Health Council, Chicago, September 1990).

By itself, of course, the justice system cannot solve the myriad social and family problems facing children today. But that doesn't mean that individual practitioners within the justice system, as well as policymakers who plan and finance the system, shouldn't strive to better understand those problems and their impact. Police officers, prosecutors, and juvenile court officials can respond more effectively and more compassionately to juvenile offenders (without necessarily being more lenient to them) if they have a deeper appreciation of the conditions that lead to juvenile crime—as well as training in how to respond to them.

The community-based enforcement, prosecution, and judicial strategies of the 1990s must address juvenile delinquency as well as adult crime. The challenges may be stiffer with juvenile crime. Many of the underlying conditions of delinquency can be found not in abandoned buildings or poorly lit parking lots (as with some adult crime), but in dysfunctional or violent families. While these may be more difficult for criminal justice authorities to reach and change, the opportunity to make a difference is potentially greater.

Issues and policies to consider

The 1980s saw the emergence of the Drug Abuse Resistance Education (or DARE) program, as well as other enforcement-based efforts to prevent juvenile crime and treat young offenders. These programs demonstrated that through careful planning and cooperation, criminal justice, educational, and social service agencies can work together to address the serious problems that contribute to juvenile crime.

In the 1990s, more coalitions of this type are likely, as a new spirit of commitment and cooperation emerges around the issue of controlling juvenile crime. Discussions at the Forum indicate most criminal justice officials recognize that they have a leadership role to play in this area, and that many of them are ready to provide that leadership (if they aren't doing so already).

While cooperation with other disciplines will be essential in attacking the underlying causes of juvenile delinquency, the justice system will still retain major responsibilities for dealing with juvenile crime when it occurs. A variety of policies and issues that affect the justice system's response were raised at the Forum, and warrant further consideration:

- *Organization of the juvenile court.* When Illinois created the first juvenile court in 1899 to handle cases involving neglected and abused children as well as delinquents, the state was hailed as a leader. In recent years, however, critics have

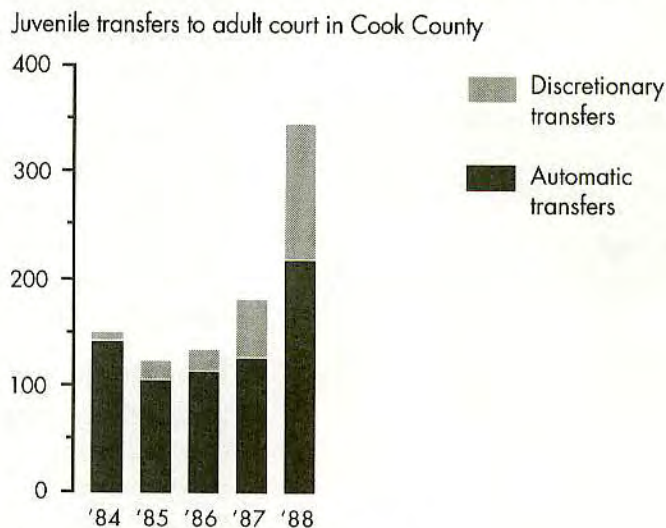
charged that this structure—in which children who are victims of crime are handled by the same court that deals with children who are offenders—no longer makes sense, especially in a world that contains more serious child offenders and more serious child victimizations. The idea of more strictly dividing the functions of the juvenile court in Illinois, or even creating separate courts to handle the different classes of juveniles now processed under the current unified system, warrants further examination. The goal of any new policies should be to treat both juvenile victims and offenders in the most efficient, compassionate, and fiscally prudent way possible.

• *Information policies and practices.* The emergence of new coalitions around the problem of juvenile crime is likely to rekindle an old debate: what degree of confidentiality should the records of young offenders enjoy. The Authority explored this complex issue five years ago, and concluded that some of the prohibitions on the exchange of information were counterproductive—both to the system of service agencies that is trying to help the juvenile and to the individual who is likely to slip through the cracks. Some changes were subsequently enacted to improve the flow of juvenile information within the justice system. However, sharing information across disciplines is still very difficult under current laws and policies. This issue will need to be addressed before cooperative approaches to containing juvenile crime can grow and succeed.

• *Links between juvenile and adult crime.* Years of research have produced conflicting findings over just how juvenile delinquency, and the justice system’s response to it, affect an individual’s criminal career as an adult. Some studies have suggested that offenders who receive stricter and more frequent sanctions as juveniles are more likely to become career criminals as adults, while other studies have indicated the opposite effect. In the future, the links between juvenile and adult crime will have to be studied more thoroughly, and the effects of specific juvenile justice policies will have to be evaluated more critically. What effect, for example, is the state’s “automatic transfer” law (in which juveniles accused of certain serious crimes are automatically tried in adult court) having on public safety and recidivism? What is the effect of policies such as removing juvenile suspects from adult jails, incarcerating juveniles who have been adjudicated delinquent, and providing alternatives such as intensive probation? A closer examination of these and other issues raised at the Forum seems to be a prerequisite to developing major new juvenile justice policies and programs.

• *Treatment for serious offenders.* As the number of juveniles arrested for violent crimes increased in the 1980s, and as the seriousness of their offenses grew, the justice system in Illinois responded by enacting tougher laws that remove violent juveniles from the community. While few people disagree with the need to protect society from violent criminals regardless of their age, the fact remains that almost all juvenile offenders will eventually be released back to the community,

One response to serious juvenile crime has been an increase in the number of juveniles tried as adults.



Source: Juvenile Court of Cook County

“By not adequately funding juvenile services, we are missing a last chance to turn someone around.”

Paul Logli

Winnebago County State’s Attorney

often times while they’re still teenagers or young adults. For this transition to succeed, serious young offenders need to acquire meaningful educational, vocational, and personal skills during their period of detention. For young sex offenders and other violent juveniles, specialized treatment and therapy may also be necessary. A thorough examination of how well Illinois is providing these services, and what innovative and successful programs are being carried out in other states, should guide public policy in this area.

• *Community alternatives.* For less serious juvenile offenders, it seems clear that more community alternatives to detention—and more meaningful alternatives—are sorely needed. It is puzzling, for example, that Cook County is the only Illinois county that currently has an Intensive Probation Supervision program for juveniles that operates according to Illinois Supreme Court standards, even though IPS has been hailed as a way to reduce regular probation caseloads while providing the stricter supervision that many young people need. Several Forum participants called for more community-service opportunities for young offenders—with some speakers even calling for a national youth corps or other community service requirement for *all* young people. Where possible, community-service requirements should also be creatively linked with restitution to the victim—requiring, for example, that a juvenile who paints racist graffiti work for a community organization that serves minorities.

The question of funding

The issue of funding for children’s programs, not just in the justice system but in the broader arena of child welfare as well, came up repeatedly at the Forum. Given the Authority’s recent findings on juvenile justice financing, that concern is understandable. When measured in constant (or inflation-adjusted) dollars, spending on juvenile law enforcement, courts, and corrections has declined in many parts of the state since the 1970s. So have federal funds devoted to juvenile justice and delinquency prevention.

While Forum participants offered few specific recommendations on how to increase funding for juvenile justice programs, there was a strong feeling that current priorities—and existing resources—need to be shifted. Some participants, for example, expressed frustration with the high cost of such programs as the federal savings and loan bailout, saying that money could be better spent on children. Others questioned the priorities of the justice system itself, which is spending relatively little to keep people out of prison as it spends more money than ever to keep them in.

However, some state lawmakers warned that pleas for more money will fall on deaf ears if the public doesn’t see juvenile justice and delinquency prevention as a priority—and one that they’re willing to pay more taxes to support. The implication is that advocates for young people must do a better job of educating the news media and the public about juvenile crime, its causes, and some possible solutions, before they can expect a major shift in government priorities and resources.

CORRECTIONAL ALTERNATIVES

Illinois' adult prison population shot up nearly 21 percent in the 12 months ending June 30, 1990—the biggest increase of any state in the country, and nine percentage points higher than the national average. On that date, Illinois had almost 27,300 inmates in a prison system designed to hold fewer than 19,000.

Given the dramatic increases in the state's prison population (and the persistent crowding that goes with them), it is no wonder that most criminal justice officials in Illinois now acknowledge that the state cannot build its way out of the current situation. Few professionals dispute the fact that the state needed the massive building program of the last two decades—a record 15 prisons in 14 years—to deal with a system of aging and inadequate facilities. And few people doubt that the state will need additional prisons in the years ahead. But very few people see the state being able to keep up the construction pace of the 1980s—either fiscally or programmatically—in the new decade.

But despite the consensus among professionals that something has to give, there remains little public or political support to alter the “get-tough” policies that contributed to the correctional crisis in the first place. Illinoisans are afraid of crime, they are concerned about drug abuse, and they support longer (and in many cases, mandatory) prison sentences for criminals. The Illinois General Assembly continues to heed that message by passing tougher laws with longer prison terms (even though lawmakers are now required to consider the correctional impact of any changes they propose in the criminal code).

This situation creates a dilemma for officials trying to develop correctional policies and programs in the 1990s. They must respond to the public's genuine concern over crime. At the same time, they must promote sentencing alternatives that adequately protect the community, that make an impact on individual offenders, and that do not exacerbate an already severe prison crowding situation.

Alternatives to prison

When the Illinois Department of Corrections opened its first military-style boot camp—officially called the Impact Incarceration Program—in October 1990, officials hailed it as an important step toward alleviating prison crowding and reducing recidivism. Once fully operational, the boot camp, located in Pope County in far southern Illinois, will hold approximately 750 young, mostly non-violent inmates—about enough to fill one medium-security prison.

Boot camps are the latest in a series of correctional alternatives that Illinois and other states have implemented as intermediate punishments between prison and regular probation. Electronic monitoring of offenders, intensive probation supervision, and (primarily at the local level) work release, community service, and vocational training programs are all attempts to divert offenders from crowded prisons and jails. But whether these alternatives are achieving that goal remains a subject of debate.

“We're building more prison cells because we're becoming more effective at arrest and prosecution.”

Kenneth McGinnis

Director

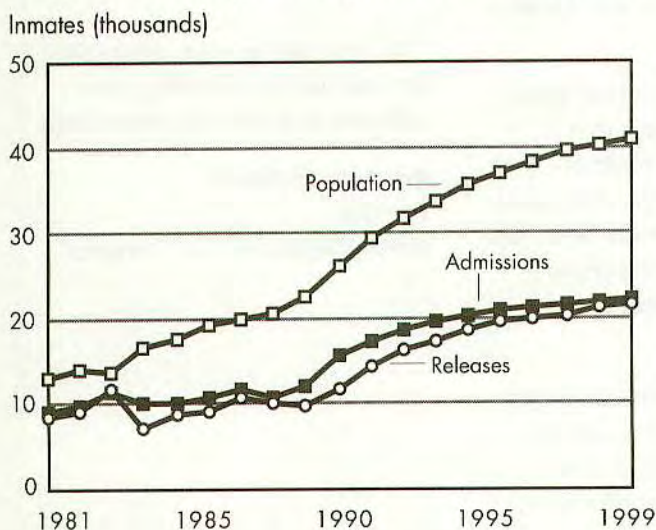
Illinois Department of Corrections

Some researchers have suggested that judges are often reluctant to impose an alternative sanction on a *prison-bound* offender, but leap to impose the same punishment on a *probation-bound* offender instead (Norval Morris and Michael Tonrey, *Between Prison and Probation—Intermediate Punishments in a Rational Sentencing System*, 1989). While that sentence may have a positive influence on an offender who might otherwise fail on regular probation, it doesn't affect the prison population.

More research is needed to tell whether, and to what degree, this phenomenon is happening in Illinois. Such research would help policymakers, corrections officials, and judges come up with useful guidelines on when and how to impose intermediate sanctions such as boot camps and electronic monitoring. The criminal justice system must also evaluate how effective alternative sanctions are in controlling crime. This will reveal whether correctional alternatives are reducing recidivism at the same time that they alleviate prison crowding.

The ultimate success of boot camps and other alternatives to incarceration may hinge on the level and quality of the follow-up services that are offered to offenders. Unlike many other states that have created boot camps, Illinois is providing intensive parole services to offenders who have successfully completed its 120-day program. Face-to-face visits from parole officers, job counseling and referrals, and drug testing and treatment have been identified as critical to ensuring a smooth and crime-free transition from boot camps (and other correctional alternatives) back to the community. How well these services are delivered in Illinois should be tracked over time.

If present trends continue, there will be at least 41,000 inmates in Illinois prisons by the turn of the century.



Source: Illinois Department of Corrections

Judicial discretion in sentencing

The success of intermediate sanctions may also hinge on how effectively they are applied by judges. As indicated in the previous section, judges in the 1990s will need more information and training on when alternative sentences are appropriate—and perhaps greater discretion in when they can be used.

The broader issue of judicial discretion in sentencing came up in a few of the Forum's sessions. In general, there was no hue and cry for Illinois to rescind the determinate sentencing structure that was enacted in 1978 or the state's Class X and other mandatory sentencing laws. However, some participants said that a decade of experience under determinate and mandatory sentencing laws—a decade in which crime rates increased, prison populations soared, and recidivism remained high—indicates that a greater level of discretion in sentencing needs to be returned to judges. At the very least, some argued, the state needs to hold the line in passing new laws that carry mandatory prison sentences.

Others, however, argued that if sanctions for certain crimes are to be effective, those crimes must carry mandatory periods of incarceration, even if for only a year or less. For example, several participants urged that all convicted drug dealers, regardless of the quantities or the substances they sell, should spend some meaningful time in jail or prison.

Whether in response to proposals for more mandatory sentences or for relaxing current sentencing guidelines, Illinois lawmakers will almost certainly have to deal with the issue of judicial discretion during this decade. While it may be politically popular to continue enacting more mandatory sentencing laws, it may be impossible to provide the necessary prison space and programs. What is needed is an approach that balances the public's desire to remove criminals from the community with the criminal justice system's need to manage its limited correctional resources.

Whatever balance is ultimately struck, judges will continue to need better information to support their sentencing decisions. In addition to accurate and complete rap sheet information from state and local sources, judges will need better social background information, such as that provided by pretrial service agencies, and better substance abuse information, such as that provided by TASC (Treatment Alternatives for Special Clients) and other programs. Unfortunately, these programs are not available throughout the state, and where they exist, are often understaffed and underfunded.

Public scrutiny of judges, and public pressure on them to make sound sentencing decisions, will increase during the 1990s. The rest of the criminal justice system has an obligation to relieve some of that pressure by providing judges with the basic sentencing information they need.

Back to basics: probation and parole

With all the attention paid to prison crowding and alternatives to incarceration, it's sometimes easy to forget that probation remains the most common sentence for convicted felons in Illinois—used in almost two-thirds of the cases in which it is a sentencing option. Furthermore, the vast majority of offenders sentenced to prison in Illinois are eventually released on “parole”—officially known as Mandatory Supervised Release. At the end of 1989, when the state had approximately 24,700 prison inmates, there were four times as many offenders on probation and parole—about 105,000 combined. How well the probation and parole systems perform in keeping these offenders from committing new crimes has profound effects on the entire criminal justice system.

Despite the importance of probation and parole, there is little public scrutiny of what role they play in the justice system and how well they are fulfilling that role. What available data do make clear is that the workloads of Illinois' probation and parole departments have grown substantially in recent years, overwhelmed in many areas (like the prison system) with drug offenders. During the late 1980s,

“I'm convinced that judges know how to make these [sentencing] decisions if they are given the resources.”

Michael Mahoney
John Howard Association

the parole system was particularly hard hit, as tight budgetary times forced the Department of Corrections to choose between prisons and parole officers. While those parole cuts have largely been restored, parole officers in Illinois must still cope with excessive caseloads—an average of 113 offenders per parole agent, or about 2.5 times the level recommended by the American Correctional Association.

Precisely what impact this gap between demands and resources is having on public safety and recidivism—how it is affecting the system’s ability to provide

services to offenders and to detect further criminal violations—is unclear. What seems obvious, however, is that probation and parole officers who must look after 100 or more offenders cannot possibly provide adequate attention to all of them. If one goal of criminal justice and public policymakers in the 1990s is to avoid having to build more—and more expensive—prisons, then more public attention and more resources need to be focused on probation and parole. At the same time, probation and parole agencies must be held more accountable for the job they do in providing monitoring and support services for the offenders placed in their control.

A recommitment to rehabilitation

With their prisons bursting at the seams, many corrections officials have acknowledged that offender rehabilitation has had to take a back seat to the primary job of maintaining safe and secure facilities. While most people understand that this approach may be necessary in the short run, there is a growing sense among criminal justice and corrections professionals that it can only lead to more problems for the justice system down the road.

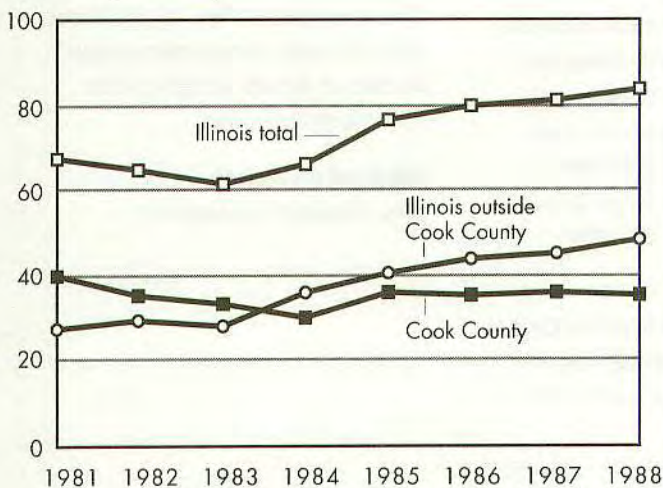
Several Forum participants argued that corrections

officials cannot wait for the problem of crowding to be solved before they embark on new and expanded rehabilitation programs. The challenge in the 1990s will be to strike an appropriate balance—in both philosophy and resources—that maintains security while doing more to turn around the lives of individual offenders.

In Illinois, there has been significant movement in this direction in the last few years. The Department of Corrections has expanded its basic reading and math programs for inmates, its drug abuse education and treatment facilities, and the Illinois Correctional Industries. Still, fewer than 4 in 10 inmates participate in IDOC’s school district, less than one-twelfth of the inmates who need drug treatment get it, and only about 5 percent of prisoners have jobs in correctional industries.

With prison crowding receiving so much attention, it is easy to forget that probation caseloads in Illinois are on the rise too.

Year-end probation caseload (thousands)



Source: Administrative Office of the Illinois Courts (Probation Division)

Expansion of these types of programs, at either the state or local level, will require more resources, of course. But it may require some creativity as well:

- Educational standards can be stiffened, or incentives enhanced for inmates to stay in prison schools. Currently, IDOC requires inmates to attain a sixth-grade level in reading and math—barely enough to complete a job application, let alone to compete for most jobs.
- Drug treatment slots in prison can be increased, with better testing and monitoring of those inmates who have substance abuse problems, and better follow-up care for those released from prison.
- Markets for prison industry goods and services can be expanded and job training stepped up. This can be done in conjunction with private industry, not necessarily in opposition to it. The cooperation between the private sector and corrections officials in setting up programs to train parolees in the asbestos removal industry demonstrates that skilled, relatively high paying jobs can be created for ex-offenders.

For corrections officials, the task of rehabilitating offenders is enormous. The dictionary defines *rehabilitation* as “restoring to a former state.” But for the majority of offenders in Illinois, being restored to their former conditions—in terms of educational achievements, drug abuse habits, and job skills—won’t be enough. To be successful, the corrections system is going to have to develop *new* skills and instill *new* values in many offenders. This will take not only resources but time as well. Members of the criminal justice profession, the news media, and the general public can be vigilant in demanding change, but they must be patient in waiting for significant results.

Focusing on repeat offenders

It is a continuing source of frustration within the criminal justice system that such a small number of repeat offenders can be responsible for so much of the crime in our communities. Research study after research study has confirmed empirically what many peoples’ experiences have told them for years: that a small, hard-core group of criminals not only commit a disproportionately high number of crimes, but also return immediately to their criminal careers after they have been caught and punished. With the research on this question so firmly established, there is a growing mood among criminal justice leaders that it is time to take new and decisive action against repeat offenders.

The first step in containing repeat offenders is to identify who they are. That may sound simple enough, especially in many smaller jurisdictions where police officials are likely to know almost everyone. But in many parts of the state, positively identifying a criminal suspect and retrieving his or her complete criminal record can be a long and inexact process.

“To release someone who is illiterate, who has no job skills, or an unresolved substance abuse problem is a sure formula for recidivism.”

Paul Logli

Winnebago County State’s Attorney

“By concentrating on the most serious crimes, many dangerous criminals were put away. The crime rate of Lake County decreased in part due to this selective targeting of offenders.”

Fred Foreman

Former Lake County State’s Attorney
U.S. Attorney for the Northern
District of Illinois

Offenders often use aliases or other means to hide their identities, and without thorough and fast fingerprint checks on all suspects, many repeat offenders end up being treated as first offenders each time they are arrested. Depending on when (or if) the true identity is uncovered, a repeat offender who is not positively identified may qualify for a lower bond (which he or she may skip), reduced charges than what could be brought under habitual offender laws, or even a lighter sentence. All have serious implications for public safety, immediately and in the future.

While the installation of automated fingerprint identification systems, telefacsimile networks, high-speed printers, and other efficiencies have improved the system by which local authorities in Illinois can identify criminal suspects, there are still many gaps in the system. Until these gaps are plugged—until all suspects’ identities and criminal histories can be verified *before* bond is set—the system will never be able to take decisive action against repeat offenders.

Once they are identified, repeat offenders should be given high priority by the justice system. Special courts for repeat offenders, supported by specially trained prosecutors and public defenders, could help speed up the processing of these cases, and ensure that repeat offenders are prosecuted to the full extent of the law. This would also speed up the process by which repeat offenders are removed from the community (and from local jails), and are placed in prison for longer periods of time. As criminal justice officials look to expand the use of correctional alternatives in the new decade, they need to ensure that precious space in state prisons is reserved for the most serious repeat offenders.

The 1980s were a banner decade for the rights of crime victims in Illinois. It was during the 1980s that the rhetoric of putting the rights of victims on equal footing with the rights of defendants became reality in many ways. Passage of the state's Bill of Rights for Victims and Witnesses of Violent Crime, expansion of victim assistance and compensation programs, and enactment of dozens of new laws that protect the most vulnerable people in society—children, senior citizens, people with disabilities, and others—all were significant milestones. Perhaps even more important were the changes in attitudes toward victims—among criminal justice professionals, the news media, and society in general.

With the basic rights of crime victims well established, and with the special needs of many groups of victims well defined, it seems time for the criminal justice system to become more sophisticated and more consistent in how it treats victims. The momentum of the 1980s must continue during the 1990s, but the focus must shift slightly. Criminal justice and victim service officials can expect to spend less time advocating for basic changes in the system, and more time making the system's response more professional and more compassionate to a greater number of victims.

Protocols: A model response

As they reconsider their own responses to crime victims, criminal justice agencies throughout the state should look to the experiences of DuPage County and selected other jurisdictions that have pioneered the use of model protocols for treating victims of domestic violence, child abuse, and other specialized crimes. Such protocols contain specific policies and procedures for how police, prosecutors, the courts, and outside service agencies should respond to crime victims, many of whom are experiencing not only the unique and traumatic experience of victimization but also the unique (and potentially traumatic) experience of being involved with the criminal justice system.

Victim protocols have three basic goals:

- To improve services for victims and reduce the trauma and anxiety they face
- To promote accountability in the justice system's treatment of victims
- To increase victim participation in the criminal justice process

To meet these goals, protocols must be comprehensive, and they must provide for a coordinated and sensitive response by the criminal justice system. Comprehensive means that protocols spell out policies and procedures for *all* officials who encounter the victim. Effective protocols should contain steps for police (both responding officers and investigators), for prosecutors and public defenders, for judges, for social service agencies, and for victim advocates. Protocols should also address the issue of follow-up referrals and services for victims long after a criminal case has been disposed of.

SERVICES FOR CRIME VICTIMS

"Since the institution of this program in DuPage County, the domestic violence dismissal rate has gone from the 60 to 70 percent range down to 22 percent. We have taken a real hard-nose approach—this isn't all candy and roses."

Carmen Polo
DuPage County
State's Attorney's Office

Many of the frustrations that child victims encounter in the justice system—repeated questioning by police and prosecutors, delays, and uncomfortable settings—are felt by other crime victims as well.

Coordinated means that protocols lay out procedures that provide criminal justice officials with the information and access to victims that they need, but that remain sensitive to the emotions and feelings of victims. Reducing the number of interviews (and interviewers) a victim must endure, speeding up the interview and investigation process, and providing comfortable settings for victims throughout the process should be the goals of any coordinated protocol.

To achieve both comprehensiveness and coordination, victim protocols must have the support of all parties involved. Traditionally, the planning and initial implementation of protocols have been handled by a single agency such as the state's attorney's office. But law enforcement officers, victim advocates, and other officials who have major parts to play in carrying out the protocol must be involved in planning it as well. This will ensure that as the legitimate needs of victims are addressed, so are the legitimate needs of criminal justice and social service officials (who must maintain access to victims). Cooperative planning may also help "convert" officials who may be initially skeptical of the use and effectiveness of protocols in general.

The child victim and beyond

Until now, protocols in Illinois have dealt primarily with certain specialized classes of crime victims, particularly victims of domestic violence and child abuse. In fact, a recent state law requires counties to create child advocacy centers or protocols for dealing with young victims of abuse.

However, many of the frustrations that child victims encounter in the justice system—repeated questioning by police and prosecutors, delays, and uncomfortable settings—are felt by other crime victims as well. Victims of sexual assault, bias-motivated crime, gang intimidation, and other violent crimes can be easily retraumatized by an uncoordinated and insensitive criminal justice response. So can the survivors of homicide victims and the victims of theft, burglary, and other property crimes. In sheer numbers, it is these victims of property crime who make up the largest group of crime victims, and who are likely to feel a strong sense of loss and violation as well.

If the criminal justice system is to gain—and maintain—the support of these and other classes of crime victims in the 1990s, it must expand the use of protocols and other victim service programs beyond their current, somewhat limited focus.

Carrying out these programs will continue to be largely a local government function, but the state can provide some leadership in this area as well. Protocols and other programs can be expensive and time-consuming to construct. It makes little sense to have dozens of jurisdictions repeat the entire process. The state could help speed the process up and reduce costs by developing general protocols which local jurisdictions could then tailor to fit their individual needs. The state could also provide help in areas such as coordination, training, evaluation, and information systems needed to support this effort.

Finding the resources

Predictably, one of the biggest stumbling blocks to expanding victim services in Illinois is money. New programs for victims remain politically popular among both state and local lawmakers, but passing tax increases or shifting spending priorities to pay for them aren't so popular.

The new state law requiring counties to establish child advocacy centers illustrates this phenomenon. In passing the law, legislators did not earmark any state funds to pay for the centers, but instead expected counties to pick up the tab. However, few counties have the tax base to incorporate the advocacy centers into their current spending plans, and most counties have been reluctant to propose even a small property tax increase to fund them. As a result, few counties have made much progress in implementing the year-old law.

In funding these and other victim service programs, local officials will expect the state government to provide more leadership in the decade ahead. The state can meet those expectations, without raising taxes, by looking to alternative sources of funds. The federal government, for example, is using part of the fees and fines levied against federal offenders to provide the states with money for victim assistance and compensation programs under the Victims of Crime Act. Similar arrangements, coupled with more aggressive collection programs and matching requirements for local jurisdictions, could be explored in Illinois.

“The intent of the law [mandating the establishment of the child advocacy centers] was that there would be a minor property tax increase voted on by counties to fund the centers. That has not happened in any county, I believe, not a single one.”

Ed Cotton

Illinois Department of Children and Family Services

THE ROLE OF THE MEDIA

"Some of these TV shows unfortunately are advertisements for crime, with all the money and fancy cars that these drug dealers are depicted as having. But when you try to talk to the media about how many people are going to prison and for how long, it's too boring—they won't write about it."

Joseph Claps

First Assistant Attorney General of Illinois

For better or for worse, the media have always had a profound impact on the public's perception of crime and its understanding of how the justice system works. A recent Canadian study of sentencing decisions provides a striking example: 80 percent of the people who were given only a newspaper account of a criminal case thought the sentence was too lenient, compared with just 15 percent of the people who were given a court transcript instead.

As we enter an age of almost infinite media possibilities, coupled with a renewed emphasis on police-citizen cooperation, the media will become even more influential. With that influence must come responsibility—for reporters, editors, and program executives, a responsibility to present a fair, sensitive, and intelligent portrayal of crime, its victims, and the criminal justice system; for criminal justice officials, a responsibility to provide the truthful, timely, and relevant information the media need to do their job of informing the public.

Meeting these responsibilities in a time of not just more media possibilities but also more open access to government will require a new spirit of trust and cooperation among people in the news media and people in criminal justice. The basis for this cooperation already exists: law enforcement and the media have been working cooperatively for years to inform the public about natural disasters, major traffic accidents, and other incidents that demand immediate attention.

As law enforcement and the media expand this partnership—as they move increasingly into the area of solving specific crimes and tracking individual fugitives through reality-based television and other programs—each side must remain sensitive to the capabilities, the limitations, and the ultimate goals of the other. Law enforcement is in the business of solving crimes and protecting the public: its judgment of what information can and cannot be released (within the bounds of freedom of information laws) must be respected. The media are in the business of informing *and entertaining* the public: their need for accurate, complete, and compelling information must be appreciated.

In addition, the media and law enforcement must vigilantly protect the rights of both victims of crime and criminal suspects. Victims must not be used or humiliated in the interest of selling newspapers or making good television. Suspects must remain innocent until proven guilty—in the newsroom as well as in the courtroom.

As criminal justice and the media settle into their new relationship, each side must remember that its ultimate responsibility is to the public. Each must set its sights on the bigger picture, on the massive and complex task of providing the citizens of Illinois with an accurate and understandable picture of how the criminal justice system really works. The media must look beyond the sensational crime of the day, and explore—intelligently and in depth—the long-range trends and issues that are affecting public safety and shaping our quality of life. Criminal justice officials must guide the media to these larger stories—and then help them gather the statistics, the anecdotes, and the analysis that make them compelling. If law enforcement and citizens are to work more closely to control crime in the 1990s and beyond, criminal justice and the media must each redouble its efforts to foster an informed, energized citizenry.

THE ROLE OF CITIZENS

At the same time that police departments in Illinois work to rejuvenate their partnership with citizens through programs such as community-based policing, citizens must be willing to do more too. Traditional approaches such as block clubs will be important in the new decade. But so will new approaches that emphasize a greater understanding of how the criminal justice system works and more direct volunteerism within the system.

For neighborhood watch groups and other established crime prevention organizations, recruiting and training members will be a top priority in the 1990s. In recruiting, these groups should pay special attention to senior citizens. People aged 60 and older not only make up the fastest growing segment of the state's population, but they also tend to be politically active, vocal, and generally have more time to devote to causes such as crime prevention. Senior volunteers also provide a vital link to the larger community of senior citizens, who may not be the largest group of actual crime victims but who are often most affected by the fear of crime.

In addition to recruiting more members, block clubs and other crime prevention groups must also be willing to expand beyond such traditional programs as neighborhood watch, operation ID, and others. These efforts will continue to be important. But in keeping with community-based approaches to policing, community groups must be willing to move into more complex areas such as nuisance abatement. The success that some Chicago citizens have had in bringing the owners of known drug houses to court and shutting down their properties should be an example—and an inspiration—to all citizens struggling with seemingly intractable crime problems in their neighborhoods.

Other community groups not always associated with crime issues—churches, chambers of commerce, tenants organizations, and others—need to be invited into the crime prevention community as well. Crime touches the constituents of all of these groups; the quality of housing, for example, is directly affected by the level of crime in the area. The agenda of these community groups should be broadened to include more issues of public safety.

Volunteerism—citizens working directly for various criminal justice and justice-related organizations—will be critical during the new decade. As the justice system struggles to keep up with escalating demands using essentially the same level of appropriated resources, volunteers can help close the gap—by working in domestic violence shelters, child advocacy centers, and other victim service programs; by helping in juvenile court and probation programs; or by serving as a court watcher.

Volunteers will also be needed as the number of dispute resolution, or mediation, programs grows in Illinois. Mediation can help speed up the whole criminal courts process by removing relatively minor cases from the court docket and placing them before volunteer mediators. Such programs will work only if there are enough committed and trained citizens willing to get involved. There may also be expanded opportunities for pro bono work by attorneys and other professionals in the 1990s.

“Senior citizens want to be wanted, and we need them. Today is the start of developing a closer partnership between the elderly and the criminal justice system.”

William Miller
Skokie Police Chief

"One of the most valuable things we have right now is the dispute mediation. I don't know what we would do without it."

Sheila Murphy

Associate Judge

Circuit Court of Cook County

Whether they volunteer directly or not, all citizens need to become better educated about crime and the administration of criminal justice. Citizens should commit to working through the media hype to learn more about the justice system—how it really works, what it can do about crime, and what it can't do. By gaining a deeper understanding of the system and the people who work in it, citizens will not only have a better appreciation of the important role they play in controlling crime, but they will also be better equipped to participate in the growing public debate over issues of crime, justice, taxes, and government spending.

All of these efforts—crime prevention, volunteerism, public education—will require the encouragement, the support, and in some cases, the financial resources of the justice system. The system must be the locus around which communities organize against crime. Police departments, for example, can provide technical support and start-up resources to fledgling block watch groups (and in areas that are not as well organized, police should be there to encourage citizens to form such groups). Officers of the court can promote the importance of mediation, pro bono, and volunteer juvenile court programs—and the professional and personal satisfaction that goes with getting involved. And all parts of the system must commit to educating citizens about the crime problems in their areas, and what law enforcement and citizens can do about them by working together.

OTHER KEY ISSUES

This chapter has explored the major issues raised at the Forum. The conference touched on dozens of other topics as well, though not in nearly as much depth. Here are three of those issues, all of which will have important implications for the state's criminal justice system during the 1990s.

Guns and violent crime

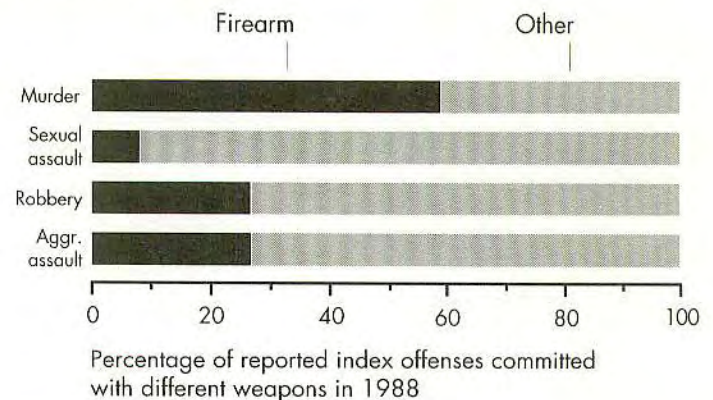
Most policymakers agree that increased accessibility to increasingly powerful firearms is contributing to the problem of violent crime in Illinois, especially the rise in murder and other drug-related violence. What to do about the situation—whether to strictly control the sale of firearms, increase penalties for using them in a crime, or both—is less certain, however.

Gun control—even when it involves such obvious non-sport weapons as assault rifles—remains a very emotional issue in Illinois. Like any other public policy, however, gun control policy should be guided by facts and research, not by emotions.

Although the issue will ultimately be decided by elected representatives, not the justice system, criminal justice officials still have a responsibility to assist in the process. Their primary role should be to collect, analyze, and disseminate the data that legislators need to develop policy in this complex area. How often are guns used to commit crimes? Which types of crimes, and which types of guns? What types of weapons are being seized from street gangs, narcotics traffickers, and other violent criminals? Regular tracking of these and other questions will help bring some rationality to the rhetoric of gun control and gun crime policies.

Despite the deep disagreements over gun control, there is one aspect of the debate that people on all sides agree on: the need to keep guns out of the hands of convicted felons and the mentally ill. Enforcing these restrictions requires a thorough system of background checks that includes accurate and complete rap sheet information on all applicants for firearm owners identification cards. It also requires effective procedures for revoking the FOID cards of recently convicted offenders. Periodic reviews of procedures and audits of information systems could reveal how well the system is working in Illinois, and what improvements could be made.

Firearms are involved in almost 60 percent of all murders in Illinois and in one-quarter of the state's robberies and aggravated assaults.



Source: Illinois Uniform Crime Reports

The impact of street gangs

When crime increased in many suburbs and small cities in 1989, some experts blamed the proliferation of street gangs outside their traditional base in Chicago and other big cities. Exactly what impact gangs are having on crime in the suburbs is still difficult to measure, however, in part because researchers are still debating the precise definitions of what constitutes a youth gang and a gang-related crime.

Nevertheless, some recent trends in gangs are clear—and potentially troubling. In addition to geographic proliferation, there has been an increase in both older and younger gang members, there are more female gang members (although their number is still relatively small), and gangs are becoming increasingly dominated by minorities. These and other trends contribute to a complex problem that involves much more than the media image of groups of young thugs selling—and fighting over—illegal drugs. In fact, some researchers have suggested that the connection between gang violence and illegal drugs may be overstated: gang violence is often over turf and retaliation rather than drugs.

Attacking the gang problem continues to be a formidable challenge for public officials in large metropolitan areas, and will be an increasing concern for suburban and small-city officials in the 1990s. For these suburbs and small cities, it will be important to recognize and acknowledge the early warning signs of gang activity—graffiti and recruitment of members in the schools in particular—and then to respond quickly with intervention and enforcement strategies. Experience suggests that many of these *nouveau* gang members are really copycats who have only loose connections with hard-core gangs, but who may provide the foothold that those gangs need to expand. Distinguishing between hard-core and peripheral gang members, and developing distinct intervention strategies for each, will be critical.

As with most every other serious crime problem, the justice system cannot solve this one alone. Law enforcement will need the help of schools, community groups, and social service agencies, particularly those that have influence over the children and younger siblings of gang members, who traditionally make up the pool of future recruits.

“What’s most apparent is the spread of gangs, regardless of definition, from the large central cities to the small cities and suburban areas. And the dominant groups are blacks and Hispanics.”

Irving Spergel
University of Chicago

The charge of racism

One of the most troubling issues to emerge from the Forum was the charge by some participants of consistent and institutional racism within Illinois' criminal justice system. Racial bias in the administration of criminal justice is an extremely serious charge that cannot be easily dismissed as either obvious or outrageous.

There is no question that existing data show a disproportionately high number of minorities are being arrested, tried, convicted, and imprisoned in Illinois (and throughout the country, for that matter). Blacks and other minorities also make up a disproportionately high number of crime *victims*. The reasons behind such numbers remain elusive, however. As some people at the Forum pointed out, arrests—particularly for drug crimes—are easier to make in minority communities because illegal activity there tends to take place out in the open, on the streets, not behind closed doors as it often does in white, middle-class areas. This argument holds that greater opportunity leads to more arrests, which in turn lead to more court cases and incarcerations.

What the statistics don't measure are the *motivations* behind the various decisions that criminal justice officials must make every day—where to patrol and investigate, when to arrest, what charges to file, whether to incarcerate or not. Such motivations will always be difficult to quantify. However, more research on possible racial disparities in specific areas such as charging, plea bargaining, sentencing, and other criminal justice activities would shed more light on the question of institutional racism.

In his keynote address to the Forum, U.S. District Court Judge James Zagel predicted that the fight against crime would be a catalyst for greater racial unity and tolerance in the 1990s. If his prediction is to come true, the charge of racial bias within the criminal justice system must be addressed quickly and forcefully.

"The facts speak for themselves: black males make up 4 percent of the population of the State of Illinois, but 60 percent of the jail and prison population."

Randolph Stone
Cook County Public Defender

SESSION SUMMARIES

KEYNOTE ADDRESS Of Crime and the River

James Zagel

U.S. District Court Judge
Northern District of Illinois

Here are excerpts from Judge Zagel's keynote address to the Forum:

"There is a sinister river that flows in every land. In America, it is big, so big that nearly everyone here lives on its banks. This river of crime changes in size and strength, as do rivers of water. Our measure is less than exact, but if the river of American crime ran six feet deep in 1960, it rose to 23 feet a generation later. The flood of lawlessness engulfed streets, swept into homes, and ruined whole communities. The waters receded in the mid-1980s, but crested again in 1988, nearing 25 feet in depth. Word about depth of the river from the 1980s was not very good.

"The law enforcer wades into the backwash of this river with what seems a single small bucket. If luck holds, the bucket will not leak, but luck does not always hold. The height of the river—the weight of its water—oppresses America and its police, courts, lawyers, and wardens. But the river has not broken us, even though crime has at times touched one of every four households. Few advocate surrender. Even in the crime-drenched places, the stricken community still struggles against the outlaw and treasures whatever help it can get.

"No one can ignore the sinister river. If you are untouched by it, you still hear the sound of the water's rush. If you find a quiet, safe place, your fear of the river often imprisons you inside that place. The tax you pay to every level of government is used, in part, to drain or confine or dam or alter the course of the river. The price of everything you buy includes the seller's cost of keeping goods safe from the river. The future course of the river is crucial to you, to us all, and I want to explore this future."

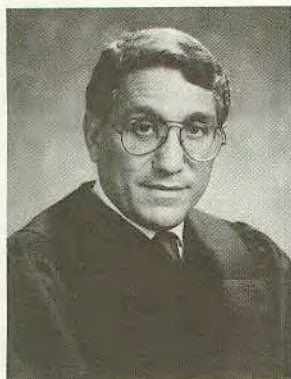
• *Predicting.* "Predicting crime's future is much like predicting the pattern of ripples caused by throwing a few rocks into a wide, slowly moving river. For years physicists

believed that, with enough information and the right formulae, we could predict this ripple effect. Now physicists are as likely to believe that prediction is impossible, that nature is chaotic. I think it is enough to identify which rocks and how many rocks are going to land in the water. We will not know the shape or frequency of the ripples, but we shall know there will be ripples—and if we discern the size of the rock, we might have some idea of the size of the resulting ripples.

"We cannot know the future where we do not know the past or the present, and we do not know the past or present well enough. We can fix this problem and, in part, we will. The ability and willingness to put information from far-flung sources into computer data banks, from which it can be quickly retrieved and collated, is crucial. In the next decade, police will collect and input even more detailed data about crime and criminals into computers. So, too, will corrections officers. Eventually even prosecutors, pre-sentence investigators, and probation officers will add more information to the mix.

"By the end of this decade, we will still be unsure about the course of crime in the first decade of the 21st century. But I predict we will have the crucial ability to know far better the simple truth about what happened with the river of crime last year, last month, last week, and last night."

• *Crime and public concern.* "In recent years, crime has been among the top issues of public concern. If tomorrow the crime rate were reduced by two-thirds of its present level and remained constant for 10 years, how long would it take before crime was once again in the top five public concerns? I think within two years. The truth is that if murders went from 20,000 a year to 7,000 a year, it would still receive extended media coverage and galvanize public action."



Judge Zagel

• *Better science and its effects.* "Police chiefs often complain (as I did) that they have too few officers and not enough equipment. Prosecutors, chief judges, probation directors, and wardens make similar complaints. Disregard, if you will, some of this as endemic to government office. Yet there remains cause to believe we have not spent enough. The Cook County Jail released 35,000 prisoners in 1989 because there was no room for them. Computers, laboratories, all now require updating. The morale of criminal justice personnel has declined under the pressure of increased workloads and less than competitive salaries.

"In the end, I believe that the public will support the cost of expensive scientific equipment to fight crime. Judging efficiency, the costs and the benefits, is a trying task in this arena. While good law enforcement reduces crime, it is beyond us to say how much. With the criminal justice system, we can predict that more expensive, thorough investigations usually lead to quicker, less expensive court cases. Where clear, court-tested scientific evidence proves guilt at less cost than older, inexpensive methods, there will be savings in both investigation and trial. When clear scientific evidence proves guilt where we could not show guilt before, add the cost of more trials (though few object to this). In any event, a new, cheaper method of detecting the criminal and proving guilt itself increases costs, the cost of housing the criminal in prison."

• *Foreknowledge of one's fate.* "As medical science improves the predictability of some conduct, classifications of criminals may become more complex and more reliable, as, for example, have the classifications of insureds in both life and medical insurance. This may lower costs because earlier release decisions can be made with greater confidence. These decisions will be made

on the basis of something similar to the complex medical grids used by the Social Security Administration in deciding liability cases. Indeed, the use of medical-type grids for psychological evaluations are likely to touch the criminal justice system early—to be used in the prisons."

• *Frontiers.* "Private enterprise will grow in importance. Private law enforcement will become a career for many, not a second career for retired police officers. There will be an increasing number of self-defense devices sold to the public. The effort to sell mace canisters to the public is a harbinger of the future. Portable electronic devices to summon police or medical assistance (and the communication network to support it) will appear on the market before the decade ends.

"The process of criminal justice information has never been the monopoly of government or police. Private security, detective agencies, and industry councils have for years collected the same kind of information that the police have. Their ability to continue to do so and to expand their databases will increase. The emphasis on public disclosure of government information, the very large amount of already public information, coupled with the increasingly inexpensive means of storing and collecting data, presages the impact of private organizations on the development of law enforcement."

• *Race and crime.* "It is hard to miss the fact that an extraordinary percentage of our prison population is African-American. Nearly one in four black males between the ages of 20 and 29 is incarcerated, on probation, or on parole. It is a fact which may have great social significance—we may have the equivalent of a lost generation, as European nations suffered in two World Wars (but from which they recovered). It is a fact which helps delay the integration of

society and increases interracial hostility, fundamentally dangerous conditions for our nation. What does it mean for law enforcement?

"My answer is that this will not impede the enforcement of law and that those who police society can serve to start us on the road to a more unified society. The fight against crime can unify us. If the river of crime does not touch everyone's backyard or the places where everyone works, nearly everyone fears that it might and has empathy for its victims. Racial tensions in our country are painful in themselves and impose appalling burdens on society. If one looks at our prisons, it is easy to fear the future effect of racial conflict in society. The size and nature of prison populations promise little good for us, but, from the narrower perspective of the law enforcers, no racial or ethnic groups will want the work of law enforcement to stop. Law enforcement can serve as our common goal—a point at which agreement can begin and division can end. I believe this will occur in the next decade.

"In the next decade the river of crime will command public attention as it has in the past decade. The struggle to contain it might be radically altered both by the widening use of existing technology, data processing, and scientific testing and in new applications of science. No significant loss of public funding for law enforcement will occur, and, for prisons and science, increased funds will be available. Private funding of private law enforcement will substitute for some police services that were lost in the past decade. Most importantly, the battle against the river can serve to unite our nation at a time when unity may be in short supply."

CHALLENGE FOR THE '90s

During the 1980s, the demands on the criminal justice system in Illinois escalated dramatically, but outside of corrections, the resources devoted to the system did not increase by nearly as much. In some areas, such as law enforcement in Chicago, spending actually declined when inflation is accounted for. How the gap between activity and resources affected criminal justice agencies in different parts of the state during the 1980s—and what those trends may hold for the 1990s—was the focus of four concurrent workshops covering Chicago/Cook County, the collar counties, other metropolitan areas, and rural areas.

Following up on the findings of the Authority's *Trends and Issues 90* report on criminal justice financing, each session included an introductory slide show that documented the resource and activity trends in that region. Panelists and participants were then asked to react to those trends, focusing on what strategies the criminal justice system could employ to close the resource gap and meet the challenge of the 1990s.

Chicago/Cook County

PANELISTS:

Joseph Claps, First Assistant Attorney General of Illinois (*Moderator*)

Howard Carroll, State Senator,
1st Legislative District

George Dunne, Cook County Board President

Ronald Pavlock, Mount Prospect Police Chief

Michael Shabat, First Assistant State's Attorney of Cook County

This session focused largely on ways to reduce the burden on the criminal justice system. Panelists suggested a variety of strategies for addressing the underlying causes of crime—family and child-welfare

issues in particular—and for improving the operational effectiveness of existing criminal justice programs.

Chief Pavlock suggested that in the face of stagnant resources, increasing levels of crime, and growing public demands for services, criminal justice managers must look to new approaches that ease the burden on the system. He recommended a greater emphasis on multi-jurisdictional and multi-disciplinary programs that allow the criminal justice system to work smarter. He cited community-based policing, the statewide McGruff crime prevention campaign, and the Drug Abuse Resistance Education (DARE) program as examples of strategies that can reduce demands on the system.

Chief Pavlock also said the criminal justice system can't do it alone. The private and non-profit sectors want to help, but the criminal justice system needs to do a better job of bringing them into the process of preventing and responding to crime. For example, police need to do a better job of referring young people who show early signs of delinquent behavior to community-based social service programs; this may prevent some of them from entering the justice system in the first place or from getting deeper into a life of crime. Chief Pavlock said the key to reducing future demands on the justice system is for the public, private, and non-profit sectors to work together now to keep young people out of the system.

Several other panelists picked up on this theme. Mr. Dunne called for a renewed dialogue—during the Forum and afterward—on the decline in family life and its impact on crime. He said criminal justice and public policy leaders in Illinois need to follow the lead of many religious and educational leaders in the Chicago area who are already devoting much of their attention to family issues.

Mr. Shabat said that considering recent increases in high school dropout rates, teen

pregnancies, hard-core drug abuse, and poverty, it's not difficult to figure out why juvenile crime today is such a massive problem in Chicago and other urban areas—and why it is likely to contribute to massive problems with adult crime in the future. He blamed recent cutbacks in resources—not just for juvenile justice and delinquency prevention programs, but for broader child-welfare efforts as well—for the growing severity of the problems facing young people. He pointed out that between 1981 and 1987 federal dollars for child welfare, food stamps, college grants, and delinquency prevention were all cut sharply.

Mr. Shabat said these cutbacks in resources are playing out in real-life situations. He described a juvenile case he handled as an assistant prosecutor in the early 1980s in which a boy deliberately committed a theft right in front of a store owner to ensure that he would get caught. "It was winter," Mr. Shabat said, "and the boy had said to the youth officer, 'It's cold in my house, and we don't have any heat. I heard that the Audy Home has clean beds, sheets, and it's warm there.' If that situation doesn't get turned around—whatever our best efforts are for apprehending, prosecuting, and sentencing offenders, as important as they may be—it's going to make it much more difficult in the future," he concluded.

Senator Carroll argued that turning that situation around would require either more resources or a dramatic shift in spending priorities. He said more money is not the solution if the public isn't willing to pay for child-welfare and family programs through higher taxes. He did suggest there was room for a shift in spending priorities. "There's something wrong when we spend \$16,000 to \$24,000 a year to incarcerate each [prison] inmate and only \$4,000 to educate each child," he said.

Barring a substantial infusion of resources, all speakers agreed that the only choice for government leaders is to work smarter with the resources they have. Mr. Shabat said criminal justice leaders in Cook County have

started this process through approaches such as the Principals Committee, a group of key criminal justice agency representatives who meet regularly to discuss common problems and to better coordinate their efforts. Better planning and coordination may not keep people from entering the criminal justice system, but it will improve the effectiveness and efficiency of the system's response.

Here are some other major issues discussed in this session:

- **Drug treatment.** County and state officials said they are trying to expand drug and alcohol abuse treatment programs for inmates at the Cook County Jail. Existing treatment programs at the jail serve only about 10 percent of the population.

- **Gun control.** One audience member argued that one of the most important factors contributing to the crime problem in Chicago and Cook County is the easy availability of increasingly powerful firearms. Senator Carroll said proposals to ban some automatic and semi-automatic weapons have passed the Illinois Senate, but have always bogged down in the House.

- **Budgeting.** Some audience members argued that criminal justice spending in some areas could be reduced through tighter budgeting practices that are based more on need and performance, not on automatic cost-of-living increases. More thorough evaluation of criminal justice programs, to identify the successful and cost-efficient ones, was also advocated.

- **Public education.** Some panelists argued that the media do a poor job of educating the public about the criminal justice system—how it functions, what it can do, and what it can't do. Mr. Shabat, however, pointed out that police and prosecutors also bear some responsibility for educating the community about crime and the criminal justice system.

Collar Counties

PANELISTS:

Jane Buckwalter, Associate Vice Chancellor for Administration, University of Illinois at Chicago
(Moderator)

Ed Burmila, Will County State's Attorney

Richard Doria, DuPage County Sheriff

Daniel Pierce, Mayor of Highland Park

Judy Baar Topinka, State Senator,
22nd Legislative District

The session focused on two basic themes. First, drug abuse and drug-related crime are now, and will continue to be, the major contributors to increased criminal justice activity in the collar counties. Second, barring additional resources, the criminal justice system either will have to become more efficient to keep up with demands in the 1990s, or it will have to cut back in other areas to maintain the emphasis on illegal drugs.

State's Attorney Burmila stated that the major problem confronting the collar counties was "drugs, drugs, and more drugs." In Will County, narcotics violations now account for more than 40 percent of all court cases, compared with 22 percent as recently as 1988. He blamed the media in part for contributing to the problem by promoting the myth that drug dealers make a lot of money without much fear of reprisal from the criminal justice system.

In rejecting legalization (a "pie in the sky" approach that would not reduce crime unless society is willing to give away drugs free of charge), Mr. Burmila called for a broader war on illegal drugs in the collar counties that included six elements:

- Further combine drug enforcement units across jurisdictions; the proliferation of smaller, single-agency drug units is an inefficient use of resources because the same units often compete for the same suspects and need the same resources.

- Train all law enforcement officers, not just narcotics agents, to better recognize and handle crime situations involving illegal drugs.

- Get away from statistics as a means to obtain funding; this emphasizes the quantity rather than quality of arrests.

- Look at the entire criminal justice system when developing spending and operational plans; this will avoid resource imbalances in different parts of the system.

- Increase the electronic sophistication of police and prosecution agencies.

- Educate young people about the ramifications of illegal drugs, especially the legal consequences.

Sheriff Doria agreed that illegal drugs are the biggest problem facing the criminal justice system in the collar counties. He said the situation is so serious an entire generation of young people may be lost to drug abuse. To reverse this trend, he called for expanded and ongoing drug education targeted to many different age groups. He ridiculed the idea of legalization, saying that someone addicted to serious drugs—regardless of whether drugs are legal or illegal—will never be a productive member of society.

Still, Sheriff Doria admitted that making a significant dent in drug trafficking will be difficult because so many offenders are involved on so many levels. In this respect, he said, the criminal justice system is its own worst enemy because the system itself is so fragmented. The key, he said, is cooperation among all facets of the justice system, or the unproductive fight will continue "for the last 15 cents in the budget." He also called for mandatory jail or prison terms for anyone caught selling illegal drugs.

Senator Topinka said that when it comes to crime, the problems facing the suburbs generally mirror the problems of the city.

(albeit to a lesser degree). And because both cities and suburbs are dealing with a general decline in social and family institutions, responsibility for dealing with many of society's problems has been passed to schools and law enforcement agencies. As a result, she said, law enforcement is having to deal with issues that it seldom tackled just a few years ago and for which police officers may not be adequately trained.

Senator Topinka said the increase in responsibility is prompting criminal justice agencies to ask "where is my share?" of the monetary pie. She warned that like other disciplines, law enforcement in the 1990s will have to become more efficient and do more with less money. This will come in part through technological innovation, she said. But the senator also warned that adding technology can diminish the human element in law enforcement, which she called critical to preventing crime.

Mayor Pierce focused mainly on resource issues, especially how they impact local government. He said one of the biggest resource problems is that criminal justice agencies continue to compete against one another for funding and influence. He cited the example of several northern suburbs that sought state funding in 1990 for an automated fingerprint identification system (AFIS) for their cooperative crime lab. He said the lab was impeded in the legislature because of opposition from the Illinois State Police, which operates its own AFIS.

According to Mayor Pierce, other factors that have contributed to the current money crunch include the elimination of federal revenue sharing, the rising costs of health insurance, and the increased contributions to public safety pension funds. He said that expenses for criminal justice are here to stay, and that it will be difficult for state and local government to cover those expenses—and improve law enforcement at the same time—if so-called tax accountability measures are enacted requiring the votes of a super-majority of lawmakers to raise taxes.

Other Metropolitan Areas

PANELISTS:

Robert Nall, Adams County Sheriff (*Moderator*)

Paul Harmon, Mayor of Normal

Paul Logli, Winnebago County State's Attorney

Penny Severns, State Senator,
51st Legislative District

George Shadid, Peoria County Sheriff

This session examined some of the tough financial realities confronting the criminal justice system, as well as some hopeful strategies for reducing costs by improving efficiency or re-prioritizing resources.

State's Attorney Logli said that with the incredible strain on the criminal justice system, it is becoming increasingly difficult to do the long-range planning that is needed to improve efficiency. Criminal justice agencies need more of everything right now, but they also know that resources generally aren't forthcoming. He claimed this is an acute problem in metropolitan counties outside the Chicago area because they seldom see scarce federal dollars. So while the property tax is unpopular, it remains the life's blood of the criminal justice system. In this kind of climate, he said criminal justice officials needed to work smarter.

Mr. Logli said Winnebago County has tried to make better use of its criminal justice resources by implementing pretrial services and electronic monitoring programs to relieve jail crowding and by working more closely with the chief judge to speed up case processing, often by moving offenders into alternatives to incarceration. But, he pointed out that these efforts can have a downside too: "To the public, it can look like the revolving door is revolving faster. The criminal justice system has a credibility problem." To regain some of that credibility, Mr. Logli made these suggestions:

- Provide more resources to the juvenile court, especially intensive probation supervision programs that can link dysfunctional families with appropriate community services.

- Reduce prosecutors' caseloads (in Winnebago County, each prosecutor averages 250 felony cases or more than 2,000 misdemeanors a year).

- Make the probation system more credible through lower caseloads and expanded use of intensive probation, electronic monitoring, and deferred prosecution, all of which are cheaper than prison.

- Expand and improve the parole system, which is also more cost-effective than prison.

- Restore rehabilitation as a correctional goal.

- Address the underlying problems associated with crime—dysfunctional families, lack of job skills, illiteracy—through leadership from the criminal justice community and volunteer community initiatives.

Mayor Harmon provided the local government perspective on the resource issue. He said there are "some tough facts to face, but also some innovative changes to be made." The toughest fact that metropolitan areas must face, he said, is that there simply isn't going to be much new money for law enforcement. Mayor Harmon said that like other municipal executives, he has to look at *all* the services that citizens need, and then weigh the new and competing demands that inevitably arise. The bottom line, he said, is that law enforcement will be doing well in the 1990s if it holds its own in terms of resources at the local level.

That doesn't mean there aren't opportunities to improve efficiency and reduce costs. Mayor Harmon offered these suggestions:

- Develop more intergovernmental agreements, especially in areas such as crime labs, SWAT teams, dispatch and record-keeping services, and other technical functions. These can provide a higher level of service, save money, and improve cooperation.

- Where possible, avoid building new facilities, and instead look for more cost-effective alternatives. For example, Mayor Harmon said mobile computers in police squad cars can reduce costs for support personnel and facilities, especially if officers have access to fully computerized criminal history records.

- Eliminate overlapping services, and find ways to use the same resources for multiple purposes.

- Work out better union-management relations to reduce costly labor conflicts.

- Expand drug education and community service programs to include younger children, as well as teenagers and young adults.

Senator Severns called for new ideas to solve the problem of the criminal justice system outgrowing its resources. She said some of the old thinking about government spending in Illinois is already changing. “When I first went to Springfield, I was told there are four sacred cows that can never be touched: the Department of Mental Health, DCFS, corrections, and education. Yet this past session, since there were no new taxes, the proposed budget for each of those sacred cows was cut by 1.5 percent,” she said.

Like other speakers, Senator Severns advocated smarter spending—in this case, putting more resources in programs, such as drug treatment, that show promise in reducing crime (and, therefore, in reducing costs) down the road. Law enforcement and treatment officials must work more closely if government is to do anything about present addicts, she said.

Sheriff Shadid said the way to start working smarter is for law enforcement administrators to start being better managers and to stop their turf battles. “Why is the State Police competing with local law enforcement agencies to solve crimes? That’s stupid and dangerous and very expensive,” he said. Greater cooperation and consolidation of services with other jurisdictions would be cost-effective and would reduce some of the fragmentation in the criminal justice “system,” he said.

Sheriff Shadid said criminal justice personnel need to start working *harder* as well. He called, for example, for the re-establishment of more weekend and holiday bond courts so that someone sent to jail on Friday doesn’t sit there all weekend before a detention decision is made. He also suggested that crime labs should be running more shifts to turn evidence around faster, especially in drug cases.

Rural Areas

PANELISTS:

Kenneth Boyle, Director, Office of the State’s Attorneys Appellate Prosecutor (*Moderator*)

Dallas Ingemunson, Kendall County State’s Attorney

Rolland Lewis, Mayor of Mount Vernon

Richard Mautino, State Representative, 74th District

John Schlaf, Galesburg Police Chief

This was a lively session that broke somewhat from the original script—in fact, the two panelists who had prepared remarks, Mayor Lewis and Chief Schlaf, never had a chance to present them. Instead, the opening slide show generated such intense debate among panelists and audience members that the rest of the session consisted of a free-form debate on the issues of criminal justice demands and resources in rural areas.

Several participants complained that most rural areas don’t have the local resources to mount significant drug enforcement efforts (and to make big arrests), and that federal drug enforcement funds don’t seem to make their way to rural areas either. This has become a catch-22 situation for many areas: they cannot apply for federal money because they cannot come up with the matching funds that are required.

Some participants proposed more direct aid from the federal government with the re-establishment of revenue sharing. With the end of the Cold War, they argued, part of the proceeds from the resulting *peace dividend* could be directed specifically to the needs of the justice system. Representative Mautino, however, pointed out that in the past, rural counties tended to use their revenue sharing dollars to build jails, not to expand law enforcement. And Director

Boyle warned against relying too heavily on inconsistent federal sources to fund local criminal justice activities. He said property taxes have provided local government in Illinois with a stable source of revenue for the last 20 years or more.

Other participants complained that local government is not getting enough support from the state government either when it comes to criminal justice. Mayor Lewis argued that more funds from the temporary state income tax surcharge enacted in 1989 should be earmarked specifically for law enforcement. Representative Mautino explained that in giving approximately half of the proceeds from the surcharge to education and half to local government, state lawmakers wanted to give local authorities the flexibility to fund the priorities in their respective areas. To which Director Boyle responded: "I suppose what [Representative] Mautino is saying here to the sheriffs and people in local government is you're not doing a very good job lobbying your county board" for a greater share of the surcharge funds.

With participants generally agreeing that the revenue situation in rural areas was not likely to improve, the discussion shifted to strategies on how to stretch limited resources. The issue of coordinating county and municipal government priorities, and avoiding turf battles, received particular attention. State's Attorney Ingemunson said

this type of coordination can work in rural areas. He cited a recent agreement among municipalities, the county board, fire districts, and police departments in Kendall County to consolidate dispatch services. Chief Schlaf agreed that regional consolidation of services does seem to provide significant benefits. But he also called for more research on the effects of such consolidation—what are the specific costs, benefits, and problems?

Mayor Lewis suggested that before intergovernmental cooperation can really work, law enforcement officers must overcome what he termed the "John Wayne syndrome" of not trusting or working with anyone who is not "one of us." He urged larger law enforcement agencies to stop "looking down" on smaller agencies, and smaller agencies to respect the leadership roles of larger departments. And he called on all law enforcement agencies, large or small, to display greater trust and respect for agencies outside traditional law enforcement circles. According to Mayor Lewis, trust and respect will lead to more interaction, which will lead to greater cooperation and consolidation of services. He said that with resources so tight in rural areas, consolidating some services not only is cost-effective, but also demonstrates accountability to the taxpaying public.

Finally, Chief Schlaf commented that the widening "gap" between resources and activity levels in rural areas may actually represent greater efficiency on the part of many rural jurisdictions. This efficiency may be due, in part, to regional cooperation, he said. "Maybe what we've been telling people all along is true," he said—that regionalization works, and is cost-effective.

ILLINOIS TOWN MEETING

Drug Abuse and Crime

PANELISTS:

Joel Weisman, WGN-TV, Chicago (*Moderator*)

Allen Andrews, Peoria Police Superintendent (retired)

Thomas Baker, McHenry County State's Attorney

Peter Bensinger, Bensinger, DuPont & Associates

Thomas Fitzgerald, Presiding Criminal Judge, Circuit Court of Cook County

Harvey Grossman, American Civil Liberties Union

Karen Hasara, State Representative, 100th District

Melody Heaps, Treatment Alternatives for Special Clients, Inc.

Thomas Homer, State Representative, 91st District

Mearl Justus, St. Clair County Sheriff

Jack Knuepfer, DuPage County Board Chairman

Michael Mahoney, John Howard Association

Kenneth McGinnis, Director, Illinois Department of Corrections

Randolph Stone, Cook County Public Defender

Wayne Wiebel, University of Illinois at Chicago



Joel Weisman

There was plenty of disagreement—as well as some room for consensus—as 14 criminal justice and public policy experts squared off for the Illinois Town Meeting on Drug Abuse and Crime. This unscripted, 90-minute, televised discussion focused on drug abuse and other critical issues facing Illinois' criminal justice system in the 1990s. Responding to questions from the moderator, from one another, and from Forum participants who made up the audience, the panelists addressed dozens of topics during the course of this unique, free-form dialogue.

Here are highlights of the major issues that were debated:

• *How goes the "war"?* There was a wide range of opinion on where Illinois stands in the fight against illegal drugs. Some panelists said there are reasons to be at least "cautiously optimistic." Mr. Bensinger said cocaine prices are up while purity is down, two trends that indicate supplies have been cut. Other panelists noted that surveys show a decline in casual drug abuse, that public attitudes toward illegal drugs have hardened, that grass-roots organizing against drug abuse has increased, and that cooperation among enforcement, treatment, and prevention professionals has improved.

Other panelists were decidedly more pessimistic. Noting that every U.S. president since the 1970s has run on a "war on drugs" platform, Sheriff Justus declared, "Hell, we lost the war on drugs a long time ago." Mr. Grossman added that we have "the wrong weapon, the wrong turf, and the wrong target." Still other panelists said it is too early to assess success or failure because government has only recently begun the fight in earnest, particularly in the areas of treatment and local law enforcement. Finally, Judge Fitzgerald took exception to even calling anti-drug efforts a war. "In a war you can shoot somebody," he said, and society is not trying to shoot drug offenders, but to change their behavior.

• *Money matters.* Panelists agreed that the cost of fighting drug abuse and crime is enormous at both the state and local levels. Director McGinnis said that by 1994, the state will need 15,000 more prison beds—many of them for offenders convicted of drug crimes or somehow involved with illegal drugs—at a cost of \$800 million in current dollars. Mr. Knuepfer said 70 percent of general fund spending in DuPage County already goes for criminal justice.

There was also general agreement that education and treatment should figure more prominently in anti-drug strategies, but disagreement over how to divide up limited resources. Sheriff Justus said education and treatment should receive the lion's share of anti-drug funds. But others warned against shortchanging enforcement. Judge Fitzgerald characterized law enforcement as "the stick" that gets people to pay attention to education and prevention messages. As for the public's willingness to foot the bill, Representative Hasara said she thinks Illinoisans are willing to spend more to fight drug abuse, "if it's spent wisely," she emphasized.

• *The federal role.* Panelists generally welcomed the recent infusion of federal money for state and local efforts, but agreed that the federal role in controlling illegal drugs remains limited. Mr. Bensinger said U.S. military forces can contribute by policing themselves for drug abuse, by assisting in crop destruction, and by providing intelligence and training to other governments. No panelist voiced support for national guard patrols of drug-infested neighborhoods, and few expressed hope that federal interdiction efforts will ever stop the importation of illegal drugs. Mr. Bensinger called interdiction "a deterrent, not a solution."

• *Legalization.* Besides Mr. Grossman, who advocated decriminalization of some drugs, no panelist expressed support for either legalization or decriminalization. Mr.

Grossman argued that responsibility for using or not using drugs should rest with the individual, just as it does with alcohol. But pointing to the example of legalized heroin in Great Britain, Mr. Bensinger said legalization in this country would be a "disaster" that would result in more drugs, more users, more drug-related crime, and higher social costs. Representative Homer said legalization would "widen the net of users" the same way that lowering the drinking age in Illinois during the 1970s widened the net of drinkers to include younger teens who hadn't reached the legal drinking age.

• *Criminal laws and sentencing.* While panelists were almost unanimous in rejecting legalization, they were far less unified in how tough the state's drug laws should be. State's Attorney Baker argued that anyone who sells illegal drugs should do time, even if for only a few days. But Ms. Heaps pointed out that tougher laws often sweep more small-time offenders into the system without touching the kingpins. Judge Fitzgerald said the courts are being overwhelmed by drug cases involving small-time offenders who might be better served elsewhere.

Mr. Mahoney said the issue isn't whether criminal laws are too strict or too lenient, but how little discretion judges have in applying those laws in sentencing decisions. Laws that mandate minimum prison sentences for many crimes have eroded judicial flexibility and contributed to severe prison crowding, he said. Judge Fitzgerald said judges need more discretion not just in setting sentence lengths, but in deciding sentence types as well. He called for greater judicial discretion to use alternative sentences such as military-style boot camps, electronic monitoring, and drug treatment.

• *Correctional alternatives.* Director McGinnis said that although more drug offenders are being sentenced to longer periods of incarceration, there are no data suggesting that recidivism or drug abuse among these offenders is declining. Sheriff Justus concurred, saying incarceration is no deterrent for 70 percent of the inmates in the St. Clair County Jail because the overall quality of their lives improves in jail, which provides shelter, food, and medical care. Representative Homer said the state is moving to create more correctional alternatives, including military-style boot camps. Director McGinnis said one full-operational boot camp could reduce the state's prison population by 750 inmates a year. Judge Fitzgerald warned, however, that boot camps will be successful only if they include drug treatment and meaningful parole programs.

• *Drugs and the underclass.* Some panelists charged that current drug enforcement strategies are having a disproportionate impact on poor and minority populations—not by design but in operation. Citing National Institute on Drug Abuse figures, Mr. Grossman said the majority of U.S. drug users are middle-class whites, but that a disproportionate number of arrestees are minorities. Mr. Stone said young black males make up 4 percent of Illinois' population but 60 percent of the state's prisoners. Mr. Andrews said the reason behind these numbers is operational opportunity, not institutional bias: drug abuse and crime are easier to detect in poor communities (where illegal activity tends to take place out in the open) than in wealthier areas (where dealers conduct business in the privacy of their homes). Finally, Judge Fitzgerald urged policymakers not to forget the enormous problems wrought by illegal drugs in poor communities, even as drug abuse diminishes among the middle class.

• *Drug abuse and AIDS.* Mr. Grossman urged lawmakers to decriminalize state laws restricting the possession of hypodermic needles, and suggested that needle exchange programs be adopted in Illinois to slow the spread of the virus believed to cause AIDS. Panelists voiced little support for Mr. Grossman's proposal, although Dr. Wiebel did say there are no data to suggest that the availability of needles increases intravenous drug abuse.

Two public television stations—WILL-TV (Urbana) and WTVP-TV (Peoria)—taped and produced the Town Meeting for broadcast on their stations and on other public television stations throughout Illinois. Copies of the program are also available from the Authority for educational or training purposes.

PRIVATE SECTOR STRATEGIES

Drug Free Workplace—It's Good Business

James O'Connor, Chairman
Commonwealth Edison Company

In this luncheon address, Mr. O'Connor described the comprehensive drug-free workplace program at Commonwealth Edison, and discussed the broader implications of such programs for preventing and treating drug abuse and improving workplace productivity in the 1990s.

Mr. O'Connor said he is troubled by the lack of leadership exhibited by the private sector in fighting drug abuse—for economic, as well as humanitarian, reasons. He said national surveys show that while almost all corporate CEOs in the United States consider drug abuse in the workplace a serious problem, relatively few have established comprehensive substance abuse programs. He said this is puzzling, since substance abuse is estimated to cost American industry up to \$60 billion a year in lost productivity, increased absenteeism, more accidents, higher health-care costs, and employee theft. The workplace offers great potential for influencing an employee's behavior, especially when his or her job is at stake, Mr. O'Connor said.

In 1979, Commonwealth Edison implemented an employee assistance program, and expanded it to a more comprehensive substance abuse program in 1982. Mr. O'Connor said the program is designed to help employees and their families identify substance abuse problems and to provide them with appropriate treatment referrals. The goals of the program are prevention and treatment, not retribution, he said.

According to Mr. O'Connor, the success of the program has increased over time, as employees have become more aware of the services available and as supervisors have

become more comfortable approaching employees about substance abuse problems. Since 1979, there have been 3,400 referrals to Commonwealth Edison's employee assistance program. For every one supervisory referral, there have been two to three self-referrals.

Still, Mr. O'Connor said the company has been tough on substance-abusing employees who refuse to participate in or who fail the assistance program: more than 100 such employees have been discharged or forced to resign. Surprisingly, the profile of these employees is similar to that of company employees in general—37 years old with 13 years of service. He said these numbers dispute the popular notion that drug abuse is a problem of young and inexperienced employees only.

Mr. O'Connor said the real success of Commonwealth Edison's program is found in workplace statistics. Over the past 10 years, he said, absenteeism has decreased 38 percent, the number of on-the-job injuries has fallen, and the cost of health insurance claims has leveled off after years of steady increases.

He attributed the success of the program to many factors. One necessary element, he said, was complete confidentiality, which fostered trust among employees. Another key was the involvement of supervisors, who receive intensive training and refresher courses in recognizing signs of substance abuse among employees and in handling and documenting cases of suspected abuse.

Another key to success has been the careful implementation of a drug testing plan, which Mr. O'Connor called a necessary element in any comprehensive drug-free workplace effort. He said pre-screening job applicants for drug use (which Commonwealth Edison began doing in 1982) is an effective way to keep potentially unproductive employees out of the work force. For current employees, Commonwealth Edison until recently used drug testing only to confirm suspected cases of drug abuse and to follow up on indicated cases. Beginning in 1990, however, the company began

random drug and alcohol testing of all workers who have access to nuclear power plants. Only nine of the 2,700 random tests to date have turned up positive results for illegal drugs or alcohol, he said.

Mr. O'Connor projected that drug testing in the private sector will increase in the future. But he said companies must be careful about properly implementing testing. First, employees need to be fully informed about the testing program. That doesn't mean they need to be given advance notice of when they will be tested, but they do need to know how the testing will be carried out and what the process will be when positive results are found. Mr. O'Connor said companies must also ensure that strict and high-quality testing procedures are followed on-site and in the testing laboratory, and that confirmation tests are conducted for all tests that turn up positive. He said these same basic policies apply to drug testing in the public sector.

In the future, Mr. O'Connor said, businesses need to work more closely with one another and with law enforcement agencies for guidance and support in implementing and carrying out drug-free workplace programs. Doing so makes economic sense, he said, because the costs associated with a drug-free workplace program today are far less than the costs of ignoring drug abuse in the workplace in the long run.



James O'Connor

DRUG ABUSE

The Nature and Extent of the Problem

PANELISTS:

Robert Stachura, Deputy Director, Illinois Department of Alcoholism and Substance Abuse (Moderator)

Marc Barrett, Illinois Department of Alcoholism and Substance Abuse

William Doster, Illinois State Police

Laimutis Nargelenas, Illinois State Police

Wayne Wiebel, University of Illinois at Chicago

This session examined how patterns in illegal drug abuse have changed over the last few decades, how those patterns are likely to change in the 1990s, and what those changes will mean for the criminal justice system in Illinois.

Mr. Doster gave a brief history of drug abuse from the early 1960s (when alcohol and, to a lesser extent, pharmaceutical drugs were the primary drugs of abuse), through the late '60s and 1970s (when heroin moved out of the ghetto and into the mainstream, when new and powerful strains of marijuana emerged, and when polydrug abuse grew), and into the 1980s (when cocaine became exceptionally popular). He said that while the drugs of choice have changed, the pattern in their abuse has been consistent: the popularity of any drug typically results from misinformation that it is harmless, and only when the media and other social institutions expose the drug's negative side does its popularity begin to decline.

Mr. Doster said this pattern has important lessons for law enforcement now and in the near future. To stop crack cocaine, for example, police must move in quickly and confront local dealers before they can establish a market. And in general, he said, all law enforcement officers need to be better trained and more knowledgeable about illegal drugs and drug abuse patterns.

Law enforcement must also make greater use of the statutory tools that are available to them.

Mr. Nargelenas said our nation is at a crossroad in what direction it will take in dealing with the problem of drug abuse. He argued that because the consumer is the genesis of the problem and because some people will always be inclined to abuse drugs as a way of dealing with their problems, an absolutely drug-free society is impossible. This admission has led some people to call for the legalization of drugs, a move that Mr. Nargelenas said would not end the vast social and crime problems associated with drug abuse.

Instead, he suggested that accepting the inevitability of some drug abuse can provide a new focus in the fight against drugs—one based less on political achievement and more on the principles outlined in the National Drug Control Strategy. Recent trends, he said, demonstrate that government can be successful in *containing* the problem (if not totally eliminating it). He said these efforts need to be given more time to flourish.

Dr. Wiebel explored epidemiological trends in the abuse of several different drugs. He said cocaine was clearly the new drug of choice in the 1980s. And although cocaine abuse continues to flourish, there are signs that the trend may be subsiding. Heroin abuse, on the other hand, generally declined during the 1980s, but may be re-emerging. Dr. Wiebel suggested that if cocaine abuse does continue to fall, it will probably be replaced, not by another stimulant, but by a depressant-like drug such as heroin.

Dr. Wiebel reported that Chicago, unlike many other major cities, has not experienced a severe methamphetamine problem, although pharmaceutical stimulants designed primarily for diet control are available and abused. Depressants are also available and abused, but primarily in combination with other drugs (for example, to augment the effects of heroin or to

induce sleep after cocaine use). And he said there has been a large decline in the strength and abuse of hallucinogens since the early 1970s.

Dr. Barrett examined abuse patterns in terms of treatment resources. He said that among people entering treatment, alcohol is still the No. 1 substance of abuse, followed by cocaine, marijuana, and narcotics. Treatment admissions for cocaine are on the rise, especially among people who report smoking as the preferred method of ingestion. Treatment admissions for narcotics are up as well. Excluding admissions for alcohol, one out of every two treatment admissions in Illinois is for cocaine, and one out of five is for narcotics.

But Dr. Barrett said the news isn't all bad concerning cocaine. A Chicago-area hotline that provides drug treatment information reported a decline in the number of callers mentioning cocaine as a problem during the first six months of 1990. This trend, he said, may indicate a decline in the availability and abuse of the drug. He suggested that sources such as hotline calls and treatment referrals should be monitored more closely and used more widely in measuring drug abuse patterns.

Questions from the audience focused largely on the nature and extent of the crack cocaine problem and the projected outlook regarding *ice*, a smokable form of methamphetamine. Panelists suggested that Chicago has avoided a major crack problem, probably because well-organized drug distribution networks have made it difficult for outsiders to come in and establish new markets. Freebase cocaine abuse, however, is still widespread in Chicago, and two areas of the state—East St. Louis and several of Chicago's southern suburbs—do have significant crack problems. Panelists said *ice* has not been found at all in Illinois (nor has it been found in many parts of the country outside Hawaii). However, clandestine methamphetamine labs are abundant on the West Coast, and a few have been found in Illinois.

DRUG ABUSE

Testing and User Accountability

PANELISTS:

Peter Bensinger, Bensinger, DuPont & Associates
(Moderator)

William Judge, McBride, Baker & Coles

Stanley Pepper, Pepper Construction Company

Michael Stroden, Chicago Transit Authority

This session examined the use of drug testing in some private industry settings, and explored the implications for testing and user accountability programs in criminal justice agencies.

Mr. Bensinger pointed out that drug testing is not a policy in and of itself. It is instead a mechanism for enforcing a broader policy on substance abuse in the workplace. He said that if employers want their employees to be drug-free, then a well-designed testing program is the way to find out. He identified four key issues in setting up drug testing as part of a drug-free workplace program: whom do you test, when do you test, why do you test, and how often do you test.

Mr. Judge, an attorney, said the first question employers need to ask when considering a drug testing program is "can we do it?" He said this question is a particular concern to public employers because, unlike private employers, they need to know what court decisions and what constitutional considerations may restrict their ability to start drug testing or limit the manner in which a program is implemented. Mr. Judge explained that employees in private industry do not have the same constitutional right of privacy in the workplace that their counterparts in the public sector do.

He said the strongest argument for drug testing, in either a public or private workplace, is that drug and alcohol use is a risk to worker health and safety, and that drug testing is a reasonable tool for limiting that

risk. If an employee challenges the drug testing policy, the courts will then have to balance the employee's right of privacy with the employer's responsibility to promote a safe and healthy workplace. These privacy concerns increase when employers move from pre-employment screening to random testing of current employees. Mr. Judge said that as employers move in that direction, they need to ensure that their testing programs distinguish among different job classifications: armed personnel should be handled differently from clerk typists because the issue of workplace safety is vastly different, he said.

Mr. Pepper related his company's experiences with drug-free workplace programs, particularly drug testing following accidents. He said Pepper Construction's first program, started in 1986, was essentially an employee assistance program that emphasized education and assistance, not testing. In 1987, however, the company began drug testing following employee accidents at construction sites. Early tests revealed that about 40 percent of all accidents involved employees who tested positive for drug or alcohol use, which was higher than the industry average of 30–35 percent at the time.

In an attempt to reduce that rate, the company convened a seminar on drug testing for supervisors and tradesmen. One key decision that came out of the seminar was to broaden the company policy to prohibit *all* employees—both office workers and people at construction sites—from drinking alcohol during lunchtime. In the first five months of 1990, Mr. Pepper reported that positive post-accident drug tests had dropped to 10 percent, although the overall accident rate had increased. One outcome of the whole process, he said, was that union leaders and members now seem to have a new, more enlightened view of drug testing and its role in promoting workplace safety.

Mr. Stroden described the Chicago Transit Authority's (CTA) employee assistance

program, which was started in 1974 but was soon broadened to include other types of problems (legal, financial, and marital) that could affect job performance. CTA policy prohibits the use and possession of intoxicating liquor or narcotics during the workday and prohibits employees from reporting to work in an impaired condition. The courts have ruled that the CTA can enforce its policy through drug testing in a variety of situations—following accidents, upon supervisor observation of impairment, in periodic examinations, and during pre-employment screening. The drug testing rules cover all employees, not just those with safety-sensitive jobs, and any employee who refuses to take a drug test can be terminated.

Mr. Stroden stressed that the CTA works to treat and rehabilitate employees who test positive for substance use on the job. Assessments, individualized treatment, and group counseling are all provided. And periodic drug tests are conducted to detect and prevent relapses.

Audience questions focused on the issue of drug testing costs and logistics. Panelists pointed out that the cost of initial screening tests has dropped to about \$15 to \$18, but that confirmation tests for people who test positive are more expensive (\$45–\$50). Panelists agreed, however, that confirmation tests are widely considered a necessary element of any sound drug testing policy. All told, the average cost nationally to test 50 people is somewhere between \$5,000 and \$6,000, including the test, specimen collection, lab fees, and a medical review officer.

As for testing laboratories, the National Institute on Drug Abuse accredits laboratories for federal agencies and establishes standards for conducting drug tests. There are five accredited labs in Illinois, and 42 nationally. Finally, Mr. Bensinger suggested that law enforcement agencies interested in random drug testing should test some employees one day every week or every month, depending on the size of the department.

DRUG ABUSE

Education and Prevention

PANELISTS:

J. William Roberts, U.S. Attorney, Central District of Illinois (*Moderator*)

Timothy DaRosa, Illinois State Police

Paul Kelly, Bobby E. Wright Comprehensive Community Health Care Center

Laura Nutini, Treatment Alternatives for Special Clients, Inc.

Alvera Stern, Illinois Department of Alcoholism and Substance Abuse

This session analyzed some of the more successful drug education and prevention programs in Illinois, explaining why they have worked and what connections they have with drug enforcement efforts.

Mr. Roberts pointed out that for years, most law enforcement officials (himself included) thought they could “do it all.” Recently, however, enforcement professionals increasingly recognize that effective drug control must combine enforcement, demand reduction, rehabilitation, treatment, and education.

Dr. Stern noted that one of the biggest problems in drug abuse prevention is the proliferation of curricula, ideas, and products that claim to change peoples’ drug-abusing behavior. She said research has proven that the most effective programs have the same basic structure: they are community-based, and they work to mobilize all sectors of a community. Dr. Stern said drug prevention programs should follow a public health model that considers the agent (what is causing the problem), the environment (where, and under what conditions, the “disease” breeds), and the host (which individuals are affected, how they react, and what strategies influence their behavior). This approach, she said, looks at the entire problem and the entire population, including both users and non-users.

Dr. Stern then described how this approach was used successfully in a Department of Alcoholism and Substance Abuse initiative—part of its InTouch Program—to prevent substance abuse among pregnant teenagers in a 36-square block, high-risk area of Chicago. Among the experimental group, the community-based, “doorknob to doorknob” strategy resulted in not only fewer expectant mothers abusing illegal drugs, alcohol, or tobacco, but also reduced levels of use among those who continued to use. A control group, on the other hand, followed the national norms: fewer expectant mothers were using those substances, but those who were using were using more.

Next, Mr. Kelly discussed the GAPS program, which is sponsored by DASA and the Bobby E. Wright Center. He described GAPS as a community empowerment project designed to change attitudes and raise self-esteem among black and Hispanic youth on Chicago’s West Side. The program focuses on establishing and promoting cultural heritage among high-risk youth through dance, genealogical research, and other instructional programs.

Mr. Kelly said GAPS is currently being evaluated by the University of Illinois at Chicago using a control group of young people who did not participate in the cultural heritage programs. Preliminary results show that young people involved in GAPS tended to score higher on self-esteem questions, assertiveness skills, and knowledge base. These findings, he said, demonstrate that “nothing changes unless the community sanctions it, so we try to empower communities to not necessarily look to law enforcement agencies for solutions, but to look to themselves.”

Mr. DaRosa then described Drug Abuse Resistance Education (DARE), a 17-week drug abuse prevention and education curriculum currently presented in elementary schools throughout Illinois (a high school curriculum is also being developed). Like other prevention programs, DARE

stresses peer pressure, the consequences of one’s actions, decision-making skills, self-esteem, stress management, the influence of the media, and assertiveness. What makes DARE unique, according to Mr. DaRosa, is that it is presented by a uniformed police officer from a local law enforcement agency. The Illinois State Police provides training and materials for DARE, but it is still a local, grass roots effort, not a state-oriented, state-run program. Last school year, more than 500 DARE officers were teaching in more than 1,150 Illinois schools, he said.

Finally, Ms. Nutini discussed the school intervention programs offered by Treatment Alternatives for Special Clients, a statewide organization that serves as a liaison among the courts, the drug treatment system, and substance-abusing offenders. TASC is currently working with three high schools and one elementary school in Chicago. The group works with teachers and administrators to identify those students most in need of drug treatment, and it provides assessment, case management, and referral services for those students. TASC also provides peer counseling and leadership programs for all students, and it offers presentations and training sessions to faculty and students in the areas of drug abuse prevention, self-esteem, and relationships. Ms. Nutini said TASC is working to extend the peer counseling and leadership programs into more elementary schools.

In response to a question about how federal anti-drug abuse funds are being divided among enforcement, treatment, and education, Dr. Stern said there must be a partnership, not a competition, between supply and demand reduction strategies. Creating partnerships with different organizations and institutions, and using available resources in a collaborative manner, are critical to successful drug control, she said. She added that improvements in research are helping program managers better show the public what works, which in turn should make taxpayers more willing to put money into those programs that are successful.

DRUG ABUSE

Treatment Alternatives

PANELISTS:

William Atkins, Director, Illinois Department of Alcoholism and Substance Abuse (Moderator)

Andrea Barthwell, Interventions

Michael Darcey, Gateway Foundation

Andrew Griffin, Illinois Masonic Hospital

Melody Heaps, Treatment Alternatives for Special Clients, Inc.

This session examined the current use of—and the future potential for—treatment alternatives for drug-abusing offenders.

Director Atkins pointed out that drug abuse places a heavy burden on the criminal justice system at all levels—enforcement, the courts, and corrections. As a result, more people are recognizing the need for demand reduction strategies that address the problem of drug abuse before it reaches the justice system. He said studies increasingly show that drug treatment works in reducing criminal behavior and recidivism. This makes it critical for the criminal justice and treatment systems to communicate and work more closely.

Mr. Darcey said it is both effective and cost-efficient to provide treatment services to people under the jurisdiction of the criminal justice system. It's effective because so many of these people need treatment services. Mr. Darcey estimated that 60–80 percent of the inmates in state prison in Illinois are there for drug- or alcohol-related activities. Yet, almost none of them have ever had any exposure to treatment. It's cost-efficient, he said, because in the case of prison inmates, the only additional cost for treatment is counseling, since room and board are already paid for. He claimed that if treatment can dissuade nine out of 100 offenders from relapsing into drug abuse and crime, the state will have saved money.

Unfortunately, Mr. Darcey said, treatment slots within jails and prisons remain in short

supply. Residential treatment provided by Gateway is available to only about 400 of the nearly 7,000 inmates at Cook County Jail. A similar Gateway program at the Dwight Correctional Center covers only 56 offenders. Mr. Darcey said DASA is moving quickly into the area of criminal justice programs, providing Gateway with resources to serve nearly 1,000 additional inmates in prison and community correctional centers.

Dr. Barthwell said there is another reason that drug treatment within the justice system is a good idea: studies suggest that criminal justice clients do as well or better in treatment than other clients. She said the justice system can provide some leverage for the client to stay in treatment longer (much like employee assistance programs do in private industry). And the longer someone stays in treatment, the greater are his or her chances of success. Dr. Barthwell said it takes about two years for people in treatment to show profound signs of improvement. She said this means the parole system in Illinois needs to do more in monitoring treatment clients after they are released from prison and in referring them to community-based facilities.

Dr. Barthwell said there is also great potential for treatment of adolescents in the punitive environment of a juvenile detention facility. Early intervention in criminal and drug abuse careers has important long-term benefits, she said, which is why Interventions focuses on adolescents. Its program tries to force drug-abusing juvenile offenders to concretely tie their loss of freedom to their decision to abuse drugs.

Like the other panelists, Ms. Heaps decried the lack of treatment facilities for substance-abusing offenders. She said an estimated 45,000 people in the criminal justice system in Illinois today are in need of treatment, yet there are only about 40 available beds for residential treatment and only a few more for outpatient programs. Ms. Heaps said that the only response is to work smarter—to admit that the system cannot treat everyone who needs help and to reach out

to those who can benefit the most. She suggested that a system of intervention, from arrest through pretrial services and parole, be created for these high-risk offenders, with drug testing used a primary screening tool to determine who is most at risk and in need of rehabilitation.

Ms. Heaps also encouraged people to think more creatively about the *types* of treatment that can be provided in the future. She said that to truly rehabilitate people, traditional addiction treatment should be supplemented with other support services such as parental, job, and educational counseling. This type of holistic approach, she said, will come through new partnerships among treatment providers, state agencies, support service agencies, and the criminal justice system.

Dr. Griffin pointed out that most criminal justice officials encounter potential criminals almost everyday—drug abusers who have not yet been “criminalized” or who may never go to court because of the overload on the system. He urged law enforcement officers and other criminal justice officials to refer more of these abusers to treatment programs and social service agencies. He said this was critical with juveniles, particularly pregnant teenagers who are at a high risk of passing the serious effects of drug abuse on to their infants.

Two questions from the audience focused on the logistics of setting up treatment programs in criminal justice settings. Mr. Darcey said the cost could range from as little as \$15,000 to as much as \$400,000 (which is the cost of Gateway's Cook County Jail program). Grant money or support from the private sector may be available for starting a program, he said. Director Atkins said that recruiting and developing qualified personnel remains a critical issue for jail- and prison-based treatment programs. He said DASA is working on providing more scholarships and internships, as well as special training programs for minorities, although it will always be difficult to keep good people in the treatment field given the relatively low salary levels.

DRUG ABUSE

Eradication and Interdiction

PANELISTS:

Ronald Grimming, Deputy Director, Illinois State Police (Moderator)

Richard Burwitz, Illinois State Police

David Parmalee, Drug Enforcement Administration

This session reviewed recent trends in the eradication and interdiction of illegal drugs in Illinois, and looked at what future efforts may involve.

Mr. Grimming focused on recent efforts to stop crack cocaine in Illinois. He called crack a "two-area epidemic"—East St. Louis and poor neighborhoods and communities in and around Chicago, especially in some southern suburbs. He described a federally funded State Police program to attack crack and other drugs in the housing projects of East St. Louis. He said this program is using three strategies that have all been used before, but which, in tandem, seem to be producing some results in East St. Louis:

- Buy and bust, in which undercover officers attempt to make drug purchases from street dealers. Police are using cars equipped with video cameras to record the transactions and to identify dealers.
- Power units, in which several teams of officers patrol an area watching for drug transactions, and move in quickly to make arrests when they spot illegal activity.
- Knock and talk, in which police go to different housing units, ask individuals if they would mind being interviewed, and then ask some of them if they would mind if police searched the area.

Mr. Grimming said one lesson learned from the East St. Louis experience is that it is critical for law enforcement to act quickly and decisively at the first signs of serious

drug problems in the community. It is also important, he said, to tap community support.

Mr. Burwitz then discussed two of the State Police's more established eradication and interdiction programs: Operation Valkyrie and Operation Cash Crop.

Begun in 1984, Operation Valkyrie attempts to intercept illegal drugs being transported through Illinois, to apprehend traffickers, and to tie drug seizures to other ongoing investigations. Mr. Burwitz emphasized that Valkyrie is based on officer observation and awareness, not on profiles of drug couriers (as some other states have used). The process begins when an officer observes a traffic violation. In the course of the traffic stop, the officer looks for signs of illegal drug activity. The officer then determines whether there is probable cause for a search of the vehicle, or if probable cause is lacking, whether there is reasonable suspicion, in which case the officer asks the driver for consent to search the vehicle. According to Mr. Burwitz, up to 80 percent of drivers will consent to a search, even if they are carrying contraband.

So far, Valkyrie has resulted in 2,500 arrests and the seizure of 10,000 pounds of marijuana, 3,400 pounds of cocaine, and \$5 million in cash. According to Mr. Burwitz, the key to the success of Operation Valkyrie is training in observation and communications skills. Until recently, Valkyrie was primarily a program for state troopers; now training has been made available to county and municipal agencies as well.

Cash Crop is a marijuana eradication program begun in 1983 to destroy domestically grown marijuana crops and to apprehend and prosecute growers. Mr. Burwitz said domestic marijuana is becoming increasingly common, with approximately one-half of all the marijuana consumed in the United States now being grown here.

He estimated there are as many as 150,000 commercial growers nationwide, and 1 million people grow marijuana for personal use. Cash Crop relies primarily on low-flying aircraft to detect marijuana plants. Detection is followed up by surveillance, investigation, apprehension of the grower, and destruction of the crop.

Mr. Parmalee looked at the issue of clandestine drug labs, which are used primarily to manufacture methamphetamine (and its smokable form, *ice*), as well as other synthetic drugs. He predicted that as the crackdown on cocaine drives prices up and purity down, more dealers in the 1990s will turn to synthetic drugs—and to clandestine labs to manufacture them. Between 1983 and 1987, the number of lab seizures by the DEA tripled in the United States, he said.

Mr. Parmalee said the portability of most labs makes them difficult for law enforcement to trace. He also said the labs are very dangerous—the presence of ether makes them prone to explosions and fires—and that only highly trained officers using protective gear should attempt to clean up labs that are uncovered. The DEA recently developed guidelines for the cleanup of clandestine labs.

BIOMETRIC TECHNOLOGIES

Changing the Identification Process

PANELISTS:

John Burzinski, Chicago Police Department (Moderator)

Thomas Difanis, Champaign County State's Attorney

Glenn Fishbine, Digital Biometrics, Inc.

Cynthia Hirsch, Champaign County State's Attorney's Office

Susan Johns, Illinois State Police

Joseph Peterson, University of Illinois at Chicago

Joseph Phillips, Nippon Electronics Corporation (NEC)

George Trubow, John Marshall Law School

This session focused on three new identification technologies that emerged during the 1980s, and whose use and influence are likely to grow during the 1990s: automated fingerprint identification systems (AFIS), direct electronic fingerprinting, and DNA (or genetic) profiling.

Lieutenant Burzinski called these three technologies the most important developments in the criminal identification process in the past three decades. He said that in acquiring these (or any other major new) technologies, law enforcement administrators must consider four issues: (1) research into the most useful and efficient systems; (2) funding; (3) support staff; and (4) the possibility of cooperating with other agencies in research and acquisition. Another concern is overcoming resistance to new technology, particularly from middle managers who will have everyday, operational responsibility for the systems.

Mr. Phillips gave a brief history of fingerprinting in general, and of AFIS specifically. He pointed out that AFIS has come about in a very short period of time—the first true AFIS went on-line in San Francisco in 1984—and that its popularity has soared since then. In 1990, only six states were not committed to AFIS at some level (Arkansas, Maine, Mississippi, New Hampshire, Rhode Island, and Vermont). He credited the implementation of a statewide system in California, and its quick identification of the infamous Night Stalker suspect, with generating international publicity for AFIS, which in turn generated funding for implementing agencies. He said AFIS is “gold” for catching repeat offenders, not just in sensational cases but in the everyday identification process.

Mr. Phillips predicted the future will bring the following AFIS developments: satellite transmission of fingerprints, better integration with criminal justice information systems, on-line booking support, smaller AFIS terminals, and AFIS terminals in squad cars.

Mr. Fishbine described direct electronic fingerprinting (“live scan”) as the logical outgrowth of AFIS: AFIS automates the storage and analysis of fingerprints; live scan automates the collection and transmission of them. However, with the tremendous growth in basic AFIS systems, few vendors have gotten involved in live scan (three companies currently have live scan systems, and only two of them have actually installed systems).

Mr. Fishbine said one of the chief advantages of live scan is that it can speed up the booking and identification process by allowing remote agencies to quickly tap into centralized fingerprint databases. Live scan, he said, can also ensure better quality fingerprints, thereby improving productivity and reducing costs. Currently, he said, up

to one-third of all traditional fingerprints cards are rejected because the prints were not classifiable. Mr. Fishbine said some problems remain with live scan fingerprinting, including the lack of industry standards and the question of whether live scan fingerprints will be accepted as evidence in court (one court in California has allowed live scan prints). In the future, he predicted live scan will be easier to use, require less storage through better data compression techniques, and have capabilities for mug shots, palm printing, and higher resolution printing, including greater use of gray scale technology.

Shifting to DNA profiling, Ms. Johns first described the technique in detail, and then discussed implementation of DNA analysis at the Illinois State Police. The State Police expect to begin accepting cases at its first DNA laboratory in Springfield in the fall of 1991. She said DNA analysis is becoming increasingly accepted by the courts, with at least four appellate decisions in three states upholding the technique.

Ms. Johns also said there is increasing interest in developing DNA databases much the same way that traditional fingerprint databases have evolved. A new state law that went into effect July 1, 1990, requires the State Police to collect blood and saliva from convicted sex offenders for categorizing into a database, the first such one in Illinois. But because no funding was included in the law, the State Police did not start the program this year. She said that while there is great investigative potential in DNA databases, several issues must be addressed first, including nationwide uniform testing procedures, quality-control standards, and security procedures.

Professor Peterson looked at the impact forensic evidence has had on criminal justice in the past, and how developments with AFIS and DNA profiling may change things

in the future. He said forensic analysis has traditionally been used as a prosecutorial tool to link a defendant with a crime; it has not been used much as an investigative tool to identify the suspect in the first place. As a result, he said, the payoff has been minimal—studies show, for example, that less than 2 percent of latent fingerprints recovered at crime scenes are ever compared and used to identify a suspect. Studies also suggest that the presence of forensic evidence has a greater impact on sentencing decisions than on conviction rates.

Professor Peterson said that with DNA profiling, the emphasis will continue to be on the prosecutorial, rather than the investigative, end of the spectrum. He said that unless and until jurisdictions establish databases that can be consulted when a blood stain is found at a crime scene, DNA evidence will not be much of an investigative tool. AFIS, he said, will have more investigative applications, particularly when live scan becomes more popular. Still, early data suggest that the hit rates with latent prints fed into AFIS systems range from only 10–20 percent.

Professor Trubow then explored the legal issues surrounding DNA profiling, particularly the constitutional questions involved in developing DNA databases. He said the technology and the opportunity for developing such databases already exist, since hospitals now take blood samples from every newborn baby. What remains are the complex ethical and privacy questions involved in using these blood samples to develop DNA databases. He pointed out that such databases could ultimately be used not just for criminal identification, but also for a host of purposes affecting individuals' health and welfare. Balancing individual rights with the benefits to society of DNA research will require a strong regulatory framework, he said.

State's Attorney Difanis and Ms. Hirsch described the case that led to the first conviction in Illinois supported by DNA evidence. The case involved a man suspected in 10 to 12 sexual assaults on the University of Illinois campus in 1988. After the suspect had been tentatively identified by some victims, authorities were able to obtain a search warrant on his body, so that fluids could be taken and compared with those preserved from some of the crime scenes. By analyzing the samples, the lab determined that the likelihood of the rapist being someone other than the suspect was one in 6.8 billion, which is greater than the number of people in the world. The state's attorney's office then charged the suspect, presented the DNA evidence in court, and achieved a conviction.

The biggest hurdle in the case was getting the DNA evidence admissible in court. This involved problems not only in laying the legal foundation for lab experts to testify, but also in producing the DNA evidence in court through the discovery process and reproducing the chain of custody. Money was another factor, with the trial ultimately costing the state's attorney's office approximately \$40,000. Mr. Difanis concluded that although the case was revolutionary, it was still built on solid, up-front police work, with DNA analysis only confirming what traditional investigative methods had already suggested.

CRIMINAL JUSTICE AND THE MEDIA

Working Together

PANELISTS:

Jack Doppelt, Northwestern University, Medill School of Journalism (*Moderator*)

John Baricevic, St. Clair County State's Attorney

Thomas Dolan, WLS-TV, Chicago

Lance Heflin, *America's Most Wanted*

Ernest Jacobi, Evanston Police Chief

Ron Koziol, Chicago Tribune

Barry Weisberg, Cook County Public Defender's Office

This session examined how law enforcement and the news media have worked together in the past; how, in an age of expanding media possibilities, they might work together in the future; and what the fallout of such collaboration might be, particularly with respect to the media's role as government watchdog and its responsibility to the victims of crime. Mr. Doppelt explored these issues by presenting different scenarios and by asking panelists to respond to them.

• *Scenario 1*: A crime has been committed, a suspect has been charged, and he is a now fugitive. How does law enforcement get information out that they are looking for this person?

There was little disagreement among panelists on this matter. State's Attorney Baricevic didn't see any sources of conflict between the media and law enforcement because a case had already been made and a suspect had already been charged. His experience has been that if he goes to the media with facts and figures in this type of situation, they are usually willing to air the

information. Chief Jacobi concurred, noting that in more sensational or serious cases, when finding the fugitive quickly is critical, television is the best vehicle for communicating information. Mr. Koziol and Mr. Dolan stressed that editors and reporters are the ones who will ultimately decide the newsworthiness of a case, and that law enforcement agencies must provide reporters with sufficient details to make a story interesting to both editors and consumers.

Mr. Weisberg demurred, however. He stated that from the fugitive's point of view, there is a problem with cooperation between the media and law enforcement because the media almost always portray people who are simply accused of a crime as dangerous and probably guilty. This generates bias against the defendant, and may interfere with his or her right to a fair trial.

• *Scenario 2:* Law enforcement has good leads that a suspect is in Ohio, and they want him to stay there. Should police confide in the media, asking them not to publish or broadcast information that would jeopardize the case? Or should police consider deliberately misleading the media into disseminating false information that will serve law enforcement purposes?

In general, the panelists said it is far better for law enforcement to trust reporters not to leak sensitive information than to give out false or misleading facts. Mr. Koziol said there have been occasions in which he postponed a story at the request of law enforcement officials to allow them to follow up some leads. He said the relationship between the media and the police is a two-way street that must be paved with trust. Mr. Baricevic said that providing untrue information not only would damage that trust (and threaten future cooperation), but also could interfere with the prosecution of the case at hand.

Chief Jacobi suggested that rather than provide false information, law enforcement could either provide vague (but accurate) information or not release any facts in the case. Mr. Weisberg said he was concerned not so much with the depth or accuracy of the information released by law enforcement, but with the way the media use that information—again, in his view, to portray as guilty suspects who have not had their day in court yet.

Next, Mr. Heflin introduced *America's Most Wanted*, one of a growing breed of reality-based television shows that dramatically reenact real crimes in the hope that some viewers will be able to assist police in apprehending the offender. Mr. Heflin described *America's Most Wanted* as a public service and advocacy program, particularly for crime victims.

But Mr. Weisberg, following up on his earlier objections, said these programs—even more so than newspapers and regular broadcast news reports—encourage a guilty verdict by providing “facts” which have not been presented or proven in court. He called television the single most important source of information about crime today—and the single greatest source of prejudice in criminal trials. He claimed that reenactment programs can actually delay the justice process, as more defendants request—and receive—trial postponements because extensive pretrial publicity prevents the seating of an impartial jury. Mr. Heflin responded that *America's Most Wanted* is not designed as evidence but rather as an investigative tool. He said it is cynical to think that potential jurors would be swayed past the point of being objective because of one television program.

Mr. Heflin responded to another common criticism of reality-based programs—that they may actually put victims in greater danger—by saying there is no evidence to support that contention. In fact, he said

America's Most Wanted is meant to help victims by bringing an ugly episode in their lives to a close. He said victims retain veto power over episodes involving their cases: if a victim does not want the show to run, it won't run.

In more traditional news reports, this type of victim veto is not as clear-cut, panelists said, although certain people, such as sexual assault victims and juveniles, are rarely identified. Mr. Koziol said journalists usually show discretion in releasing names or addresses in cases such as gang-related incidents, where retribution against the victim is possible. Chief Jacobi, however, warned the news media to be sensitive and careful in how they describe victims: the name is not the only identifier, and other descriptors can be almost as revealing in some instances.

On the broad issue of whether there should be more cooperation between police departments and the news media, most panelists said yes. Mr. Weisberg, however, said that given the new dynamics of electronic news gathering, what's needed is not necessarily more cooperation but better ways of using and refining the cooperation that already exists.

USING COMPUTERS

For Criminal Justice Decision Making

PANELISTS:

Larry Downes, McKinsey & Co. (*Moderator*)

Mary Boland, Illinois Coalition Against Sexual Assault

Jenny Lewelling, Hewlett-Packard Company

This session explored how criminal justice agencies can evaluate, install, and ultimately use computer technology to support decision making. The session also included demonstrations of two systems that put the private-sector theories of strategic information technology and competitive advantage into real-life terms for criminal justice.

First, Mr. Downes described the process that corporations typically follow in adopting information technology—a process that local units of government and criminal justice agencies can borrow acquiring their own information systems. The linchpin of the corporate model is using technology to gain a competitive advantage, what Mr. Downes called *strategic information technology*. In order to be considered strategic, the technology must help the user move ahead of (or regain parity with) the competition, and it must support the heart of a business application, not functions such as filing and accounting. Strategic technology not only must improve the operations of an agency right now; it must also provide a platform for managing future complexity.

In criminal justice, strategic technology should help agencies gain a competitive advantage not just over criminals, but also over a system that is prone to fragmentation and inefficiency. To do so, Mr. Downes said, the technology must be properly matched with the responsibilities of different people within the organization. Borrowing from an organizational model developed by prosecutors in New York, Mr. Downes described three roles that law enforcement

officials typically play, and he gave examples of the types of technology they should use to fulfill those roles:

- The *case processor* deals with individual problems as they arise. This is an administrative person who relies on the most basic (and least strategic) technology—word processing and other office automation systems, simple databases, and simple decision support systems.

- The *problem solver* deals with more general crime issues such as the causes of crime and the community conditions that breed crime. This is an operational person who relies on slightly more sophisticated (and strategic) technology—knowledge-based systems, desktop publishing and more advanced office automation systems, and data communications (electronic mail and external bulletin boards and databases).

- The *institution builder* tries to reduce crime and improve the justice system by reaching out and changing the institutional structure of a community. This is a strategic person who relies on the most advanced and most strategic technology—advanced expert systems, executive workstations and systems, and imaging technology.

Mr. Downes said that as one moves from case processor to institutional builder, the technology needs become more strategic. But as technology itself continues to evolve and improve, today's strategic, leading-edge systems eventually become more accepted, more mature, and more useful to problem solvers and case processors. Institutional builders, meanwhile, must move on to newer and more strategic technologies to remain competitive. This process, from early adoption to rapid acceptance to maturity, is called the Technology Life Cycle Model.

Mr. Downes concluded by saying that any agency adopting new forms of technology must ensure that its organizational structures will allow the technology to achieve its potential. He said many private firms have been unsuccessful in implementing technology not because the technology wasn't

ready, but because the companies weren't: in resolving technical issues, they ignored key human and organizational matters.

Next, Ms. Lewelling demonstrated NewWave, a new computer environment from Hewlett-Packard designed to support the strategic and operational needs of managers and top administrators. NewWave is not a traditional software application, but rather a platform that allows a number of different computer programs—word processing, spreadsheets, graphics, statistical analysis, electronic mail, external databases, and others—to be used in tandem with one another. For example, NewWave allows a manager to generate a report by calling up and combining the necessary information from a variety of sources, without having to individually launch computer program after program.

Ms. Lewelling said that in criminal justice, the NewWave type of environment will become increasingly important to institutional builders. She said this type of environment makes strategic technology less threatening, more intuitive, and more useful, particularly to managers who have been reluctant to embrace technology because they thought it was too complex.

Ms. Boland then demonstrated an expert system the Illinois Coalition Against Sexual Assault developed in conjunction with the Authority. This system helps police, prosecutors, and victim advocates determine what charges can be filed under Illinois' increasingly complex sexual assault laws. The system asks users to answer a series of specific questions about the offense, particularly the victim's age, his or her relationship to the offender, and the degree of injury, all of which influence the charges that can be filed under the law. Based on the responses to these questions, the system produces a list of possible charges and the sentence ranges which can be imposed upon conviction. Ms. Boland said the system can be used for actual decision making by prosecutors and for training of criminal justice and victim service personnel.

ENHANCED COMMUNICATIONS TECHNOLOGIES

How Can We Use Them?

PANELISTS:

James Sprowl, Fitch, Even, Tabin & Flannery
(Moderator)

John DeGirolamo, Mobile Data International

Clint Nye, Ameritech Information Systems

This session examined recent developments in communications technology for law enforcement (particularly mobile data systems), and it explored what the future may bring in terms of technological and operational innovation.

Mr. Nye stated that future advancements in law enforcement communications should focus on three goals:

- Maximizing field responses and reporting efficiency
- Working toward paperless field reporting
- Tracking (and implementing) new and emerging technologies

Mr. Nye said there will be plenty of new and emerging technologies to keep track of in the 1990s. He listed these as among the important ones to watch:

- Artificial intelligence, particularly text and keyword searching systems
- Geographics, including automatic vehicle locator and “closest car dispatching” systems
- Text-to-digital conversion—writing pads, for example

- Systems that combine video and data (with the emphasis on video)
- Systems that exchange messages between technologies, such as voice and digital
- Imaging and bar coding systems, particularly in the areas of property and evidence control
- Identification technologies involving fingerprints and retina scanning
- Wireless local area networks—photonics

The key behind all of these technologies, he said, will be to put information in the hands of the people who need it *at the time they need it*.

Mr. DeGirolamo followed up with a discussion of current mobile data system technology, which has been widely used in the public safety arena for some time. In fact, he said, this is one area of technology where law enforcement agencies have actually led the private sector, which is just beginning to adapt this technology. For law enforcement agencies, Mr. DeGirolamo said the goals of a mobile data terminal system should be to improve public service, reduce costs, enhance both public and officer safety, improve officer productivity and effectiveness, eliminate voice congestion on radio waves, and increase revenues (through traffic and other fines).

Mr. DeGirolamo said that in the future, advancements in law enforcement technology will allow agencies to capture information now considered to be “below the threshold of viability.” He also predicted the continued movement toward an increasingly paperless environment. In the specific area of mobile data technology, he predicted these trends:

- Increased integration of mobile data terminals with management information systems

- Greater connectivity via industry standard telecommunications protocols (X.25, for example)
- Increased throughput from faster data transmissions speeds and higher radio frequency reuse models
- Greater product compatibility

Finally, Mr. DeGirolamo said law enforcement officials can expect a basic shift from current mobile *terminal* technology to what he called a mobile *workstation* environment. Mobile workstations will support operating systems such as Unix or DOS, a wide variety of user applications, radio frequency modem technology tied to laptop computers, a wider variety of interfaces to peripheral devices (bar code readers, for example), and greater availability of graphics.

In response to a question about the display of pictures on mobile terminals, Mr. DeGirolamo said that while he thought this feature would be forthcoming, it is still a few years away. He said mobile terminals need to become more sophisticated, and the capability of systems to capture, compress, store, and transmit this type of information needs to be improved.

LABOR RELATIONS

Trends in the 1990s

PANELISTS:

Giacomo Pecoraro, Springfield Police Department
(Moderator)

Don Anderson, Seyfarth, Shaw, Fairweather & Geraldson

Joel D'Alba, Asher, Gittler, Greenfield, Cohen and D'Alba Ltd.

Steve Rynecki, vonBriesen & Purtell, S.C.

Thomas Sonneborn, Fraternal Order of Police

This session dealt with recent laws, policies, and court decisions affecting law enforcement labor relations, and it looked at key labor issues that will have to be addressed in the 1990s.

Mr. Pecoraro gave a history of criminal justice labor relations in the United States and Illinois, which in 1985 became one of the last states to grant collective bargaining rights to public safety personnel. He said that in addition to the Illinois Public Labor Relations Act, other recent state and federal laws—covering disciplinary actions, employees' right to know, disabled workers, and age discrimination—will shape future collective bargaining practices and policies on the requirements, retention, and retirement of public safety personnel.

Mr. Rynecki said that from the employer's point of view, there are both advantages and disadvantages to organized unions. The chief advantage, he said, was the union's ability to communicate workers' positions in a consolidated fashion. The chief disadvantage for employers is that unionization shifts some economic and non-economic decision-making power to the workers through collective bargaining. In responding to union organizing attempts, police management must decide if the advantage of improved communications outweighs the disadvantage of having to share decision-making power on such things as shift schedules, he said.

Mr. Rynecki then discussed some collective bargaining techniques. He said the most effective negotiating styles are neither hard (participants are adversaries) nor soft (participants are pals), but are "principled" (participants are problem solvers). He said that before collective bargaining starts, all participants must do research on issues of substance (what will constitute a "good deal") and personality (who are the members of the other team). Once negotiations start, both parties must stay focused and not talk about things that won't get moved on, as this will raise rather than lower expectations. Bargaining, he said, is about lowering the expectations of both parties.

Mr. D'Alba, an attorney who represents police unions, said that even though the Illinois Public Labor Relations Act grants collective bargaining to police officers, the law still makes it clear who runs the police department—management. He said it was no accident that the major portion of the law dealing with employers' rights was placed right up front in the statute. Mr. D'Alba said the success of the Fraternal Order of Police in union representation elections reflects police officers' frustration over the years with management's unilateral decision making. He called unilateral decision making a strategic mistake that creates unnecessary and avoidable resentment among workers.

Next, Mr. Anderson discussed a major 1990 Illinois Supreme Court decision that affects whether certain police officials, particularly sergeants and lieutenants, are considered supervisors (and therefore ineligible for collective bargaining) or not. He said the court, in a case involving the Freeport Police Department, said that in determining supervisory status, agencies must look at the "essence of the work"—is it patrol or supervision—with the test being qualitative (not quantitative) in nature. Mr. Anderson said the court also determined that it "doesn't matter if the supervisory powers are minimal or maximal," as long as the individual possesses those powers. The decision, he said, recognizes that just because some police supervisors also have

"street" responsibilities does not mean they are not supervisors for collective bargaining purposes.

He said the fallout from this decision is substantial because under state law, supervisory and non-supervisory units must not be mixed. This raises a number of fundamental and far-reaching questions about collective bargaining units that are "mixed" under the court's definition. What happens to these units? And what happens to the contracts they have negotiated? Mr. Anderson said these questions will be sorted out, either in court or through the Illinois Labor Relations Board, in the months and years ahead.

Mr. Anderson noted a few other trends in police labor relations. First, he said the Fraternal Order of Police, more so than other unions representing officers, is increasingly demanding arbitration. Second, he said there is greater sophistication in using data to compare salary and benefit levels across departments and against a jurisdiction's economic conditions. Finally, he said that in disciplinary cases, more jurisdictions are using arbitration agreements rather than the traditional police commission. Mr. Sonneborn agreed that managers retain the right to run police departments under Illinois' collective bargaining law. The "gray area," he said, is in how managers choose to run departments and whether they try to achieve some equity with labor. Mr. Sonneborn said that by creating the proper structure, management can create the necessary stability to allow labor an equitable voice in decision making.

Mr. Sonneborn then explored some labor relations trends he anticipates in the 1990s. First, he said he hoped that "we are about to get over the hurdle of drug testing." He said police officers support testing based on "reasonable suspicion," but oppose random testing. Second, he said management and labor would have to reach some agreement on the physical testing of experienced employees; an increasing number of departments are looking to implement physical testing programs.

CRIMINAL JUSTICE PLANNING

Designing the Future

PANELISTS:

Frederic Moyer, Moyer Associates (*Moderator*)

Fred Foreman, Former Lake County State's Attorney, U.S. Attorney for the Northern District of Illinois

Fred Geiger, Illinois Appellate Court Justice

Clint Grinnell, Lake County Sheriff

Jim LaBelle, Lake County Commissioner

Larry Lesza, Lake County Jail Administrator

Dwight Magalis, Lake County Executive

This session examined the criminal justice system planning process by taking an in-depth look at how one Illinois jurisdiction, Lake County, planned for a new jail and court facility in the mid-1980s.

Mr. Moyer, whose consulting firm oversaw the Lake County project, said a seven-step planning model was used. This model was both collaborative and participatory: collaboration between planners and administrators is key, he said, because administrators will ultimately have to live with (and pay for) the decisions that are reached. In this case, the decision was to place the new facility just south of the existing jail and courts complex, and to develop links to the existing court structure to accommodate future expansion.

Mr. Magalis described step 1 of the planning process: identifying project goals. The idea of expanding the jail was a direct response to massive and persistent crowding in the facility. The situation was so bad that in 1980, members of the local bar association (with the approval and encouragement of the state's attorney) filed suit in state court against the county and the sheriff (a companion suit was filed in federal court as well). The suit did three things: it forced the setting of a cap on the jail's population,

it compelled the court to supervise the jail, and it prompted county officials to act.

The County Board worked with the courts in developing six goals for addressing the crowding issue. The first goal was to provide additional facilities not only for the jail, but also for supporting agencies such as the state's attorney's office and court services department. Second, the new facility had to exceed state and federal standards. The third goal was to learn more about those standards, so that the county could continue to exceed them in the future. The fourth goal was to develop and implement alternatives to incarceration. The fifth goal was to improve communications between criminal justice agencies and the County Board (this was accomplished through the creation of a Criminal Justice Advisory Committee). The sixth goal was to resolve the state and federal litigation.

Sheriff Grinnell described step 2: assessing the existing facility. The state lawsuit set a cap of 128 inmates for the jail, requiring that other inmates be housed elsewhere. He said this turned out to be a logistical and financial nightmare, with transport vehicles logging 500 miles a day and the cost of housing prisoners outside the county rising to \$70,000 a month. These conditions prompted the county to move quickly.

Justice Geiger said that in assessing the existing jail, attention had to be paid not just to bed spaces but to state standards affecting programs and services. He also said the assessment of the courts had to account for Lake County's "single assignment" system in which judges handle both criminal and civil cases. This system poses problems in planning, especially security.

State's Attorney Foreman explained step 3 in the planning process: the projection of future needs. By looking at recent crime trends (particularly increases in violent offenses) and the growing number of repeat offenders on the street, county officials predicted that the crime rate would continue to rise. This was helpful in

planning the new facility, but it also prompted a number of policies and actions designed to stabilize the crime rate. The crime rate in Lake County eventually decreased, largely because of the selective targeting of repeat offenders.

Mr. Lesza said a population study was undertaken to project the number of beds that would be needed in the new jail. Initially 180, the projected number was soon increased to 240, which was still not high enough (the new jail was completely full the day it opened). By taking over work-release beds and putting a modular unit back into service, the jail capacity is now 350 (with a population of about 300). At the same time the study was being conducted, a custody review group was created to analyze and review the jail population on a weekly basis. This group, which was allowed to recommend sentence modifications, review of bond, or consolidation of cases, helped to keep the population stable.

Mr. Magalis described step 4: identifying alternative policies and courses of action. Four alternatives for expanding jail and court capacity were identified. In addition, the advisory committee developed administrative alternatives, including felony review, work release, intensive probation, and electronic monitoring.

Mr. LaBelle examined step 5 of the planning process: decision making. Before deciding on one of the four alternatives, the advisory committee tried to develop ways to improve the functioning of the entire system. In the final decision-making process, fiscal constraint was a primary source of discipline, he said. Step 6 of the process (presentation) and step 7 (implementation) were not discussed during this session because of a lack of time.

Mr. LaBelle concluded by saying that the planning process brought about more innovation than any of the participants imagined. Officials were motivated to make the process work, and were willing to consider approaches that involved risk.

DRUG ABUSE Strategies for the '90s

Fred Foreman

Former Lake County State's Attorney
U.S. Attorney for the Northern District of
Illinois

In this luncheon address, Mr. Foreman argued that the greatest deterrent to the abuse of drugs continues to be their illegality. What's needed in the 1990s, he said, is not a retreat toward legalization, but strong criminal justice programs based on cooperation and accountability. These should be coupled with bold new approaches to preventing drug abuse among young people by building their self-esteem and enhancing their sense of responsibility.

Mr. Foreman pointed out that in one sense, the justice system is dealing with a relatively small problem group. Only about 2 percent of the population is responsible for crime in this country, while the vast majority of people have said no to illegal drugs and crime. The problem, he said, is that the problems brought on by the 2 percent of the population involved in crime are massive.

He cited various statistics that link much of this criminality to drug abuse. One ongoing study in Chicago, for example, shows that

about three-quarters of the arrestee population are testing positive for illegal drug use. Other research shows that a similarly high percentage of offenders in jail and prison were under the influence of drugs or alcohol when they committed their crimes. It is unsophisticated, however, to blame illegal drugs as the sole cause of crime. Other factors—broken homes, child abuse, domestic violence, and the availability of firearms—are also contributing to the problem, he said. Illegal drug and alcohol abuse, however, only serve to exacerbate these other factors.

After defining the problem of drug abuse and crime, Mr. Foreman turned to different strategies for addressing that problem in the future. First, he said legalization is not a viable strategy. In Oregon, where marijuana was decriminalized in the 1970s, crime has escalated and educational achievement has declined, prompting a citizen referendum to repeal the state's decriminalization laws. *(The repeal referendum was approved in the November 1990 election—Ed.)* Mr. Foreman also questioned the contention that property crime would decrease if drugs were legal because, the argument goes, addicts would not have to steal to subsidize their habits. But even if this were true, he argued that any decrease in property crime would be more than offset by increases in child abuse and domestic violence, two crimes that are closely tied to drug abuse.

Furthermore, he said legalization would have a deleterious impact on the spread of AIDS, on emergency room admissions for overdoses, on the escalating costs of health care, on the learning environment in our classrooms, and on safety on our roads. And if drugs were legalized and taxed, there is no guarantee that black-market drug lords wouldn't still be able to offer competitive prices. The bottom line, he said, is that the illegality of drugs is still the greatest deterrent to their use.

After rejecting legalization, Mr. Foreman explored two broad ways of approaching the problem of drug abuse and crime: one involving prevention at the front end, the

other involving enforcement at the back end.

On the prevention side, Mr. Foreman pointed out that even with the aging of the population, teenagers and young adults still have the highest crime rates. And while members of this crime-prone group are most likely to be drug abusers as well, they are also very susceptible to peer pressure, he said. To apply more of that pressure, and to build self-esteem, Mr. Foreman advocated the establishment of a national youth service requirement.

He said this requirement could take many forms—a civilian conservation corps to deal with waste and environmental problems, a revived peace corps, or a program of volunteer tutors in the schools. Any of these, he said, not only would be a positive alternative to the defeatist attitude of surrendering to legalization, but also may prove to be an effective strategy for controlling drug abuse among young people. Community service could develop their talents, build their self-confidence, and provide them with a sense of personal responsibility. Programs such as volunteer tutors could also serve to address some of the underlying conditions (such as educational failure among younger children) that are contributing to drug abuse and crime down the road.

On the enforcement end, Mr. Foreman said cooperation and accountability in the criminal justice system are vitally important. Cooperative models, like the drug enforcement task forces and multi-jurisdictional drug prosecution programs established and supported by the Authority, should be expanded, he said. And because drug abuse is so closely tied to crimes such as domestic violence and sexual assault, federal funds should continue to target specialized victim assistance programs.

In conclusion, Mr. Foreman said that as the battle against illegal drugs and crime moves into the 1990s, what is needed are reinforcements, not a raising of the white flag of surrender.



Fred Foreman

DOMESTIC VIOLENCE

A Model Response

PANELISTS:

Janice DiGirolamo, Administrative Office of the Illinois Courts (*Moderator*)

Lauren Bell, Family Services Shelter

Carmen Polo, DuPage County State's Attorney's Office

Jerry Zywczyk, Westmont Police Department

This session explored the issue of how the criminal justice system handles domestic violence cases and victims by taking an in-depth look at a model response recently developed in DuPage County. The session explained what factors led to the creation of the county's domestic violence protocol, how it was implemented, and what the response has been among criminal justice and victim service professionals.

Mr. Polo gave a brief history of the protocol, which grew out of a 30-member task force convened in 1988 by the DuPage County State's Attorney's Office. The mission of the task force was to produce the first comprehensive domestic violence manual in DuPage County. The foundation of the manual the task force eventually developed is a set of protocols that spell out how police, prosecutors, and social, medical, and victim service personnel are to respond to incidents of domestic violence. Mr. Polo said the manual and its protocols stress a comprehensive approach to domestic violence, and cooperation among all components of the system (from arrest through offender treatment). He said 900 domestic violence cases were disposed of in DuPage County during the first year of the program.

Lieutenant Zywczyk said that many law enforcement officials in DuPage County (himself included) were initially skeptical of

the protocol, but that participation in the task force broadened his perspective on how police departments have typically viewed domestic violence. Previously, he said, many departments considered domestic violence calls as merely "family fights," not as serious criminal incidents. Under the protocol, however, officers are mandated to arrest a domestic violence suspect if, as in any other crime, there is probable cause to believe a crime has been committed. Mr. Zywczyk said this policy is not only just, but also cost-effective because it can cut down on repeat calls.

Several other law enforcement changes have also been made under the protocol. For example, officers attempt to notify the victim if a suspect has bonded out of jail; they notify local domestic violence shelters of incidents reported to them; and whether there is an arrest or not, police still send a report on each incident to the state's attorney's office. In addition, communications people have been better trained to classify the severity of domestic violence calls, a computerized system has been developed to allow for storage and retrieval of previous domestic violence offenses, and all police officers in DuPage County now receive training on Illinois' Domestic Violence Act.

Ms. Bell said that in terms of victim service, the protocol has two components: crisis intervention and court advocacy. The crisis intervention component often begins when the shelter is contacted by the police following an incident. The shelter then contacts the victim (initially by telephone, and possibly through a follow-up visit) to see if she or he needs help. Ms. Bell said this takes the pressure off the victim to make the first move.

Next, the court advocate steps in to explain legal procedures and options to the victim, including the securing of an order of protection, if necessary. Once an arrest has

been made, however, the case will progress through the system, even if a woman does not want to press charges or cooperate. The state's attorney's office insisted on this no-drop policy after many domestic violence cases were dropped because victims were intimidated by an abuser and were afraid of getting involved in the legal system.

Mr. Polo said there are three goals of the prosecutor's protocol: (1) to protect the victim, (2) to provide vertical prosecution of domestic violence cases (one assistant state's attorney who stays with the case from beginning to end), and (3) to determine the level of cooperation which can be expected from the victim. The dismissal rate for domestic violence cases has fallen by approximately 40 percent since the protocol (and its no-drop policy) were adopted, he said.

One member of the audience expressed concern about a policy that takes control away from a victim who has been battered. The panelists countered that under the protocol, the criminal justice system is finally treating domestic violence like other serious crimes and is trying to better protect victims from abusers. The policy takes the responsibility of prosecution away from the victim and gives it to the state, where such responsibility should reside.

Other audience questions focused on the offender treatment part of the protocol, which can include both group and couples counseling. Panelists said the cost of treatment is about \$500 per person, with 70 percent of the total paid by the Department of Psychological Services. Sentenced abusers who are not deemed appropriate for the treatment program are sent back to court for resentencing. While the treatment program is only one year old, preliminary evaluations suggest that it is effective.

CRIME AND THE ELDERLY

An Age Old Problem

PANELISTS:

William Miller, Skokie Police Chief (*Moderator*)

John Bordenet, American Association of Retired Persons

Gilbert Cady, Henry County Sheriff

Madelyn O'Neill, Chicago Police Department

Cecil Partee, Cook County State's Attorney

Donna Pezzuto, Council for Jewish Elderly

This session explored how senior citizens are changing the demographic face of Illinois, and what challenges and opportunities this trend presents to the criminal justice system. Chief Miller said law enforcement has both a unique responsibility and a unique opportunity when it comes to senior citizens. The responsibility is to address the fear of crime that many elderly citizens face. The opportunity is to enlist senior citizens, who are the fastest growing population group in Illinois, to serve as volunteers in the fight against crime—to work with law enforcement to reduce fear and stabilize senior communities.

Mr. Bordenet explored the demographics of aging in more detail. By the year 2020, he said, one in five people in the United States will be aged 65 or older (with slightly more than half of this group aged 75 or older). Illinois already has five counties where 20 percent of the population is 65 or older. Life expectancy in the country has risen from 47 years in 1900 to 75 today. And the median age of the population, 32 now, will rise to 42 in 2020. Mr. Bordenet said this aging trend is already beginning to have an impact on the criminal justice system—and the impact will only grow over time. Part of the impact, he said, derives from the fear that senior citizens traditionally have of crime, and the extreme trauma they can suffer when they are victimized. More people in this age group means potentially more victims, which means more fear and

even greater trauma. Mr. Bordenet urged criminal justice officials to begin planning now for the impact of senior citizens on the justice system in the 21st century.

Sheriff Cady said law enforcement agencies in many rural Illinois counties have already developed crime prevention programs that work to reduce fear and provide needed services to senior citizens. One such program, called I Live Alone, was implemented in Henry County in 1987 to identify elderly and disabled citizens who live alone and to protect them from accidents and crime. The first step in establishing the program was to survey a sampling of senior citizens in the county to capture descriptive data and to see how many were living alone. The survey revealed that of the 700 people interviewed, a surprising 75 percent were women, two-thirds owned their own homes, and approximately half lived alone. Officials then developed a more comprehensive list of elderly and disabled citizens in the county, conducted personal interviews to determine outside contacts, and for those who didn't have regular contacts, made arrangements with neighbors or other people to establish a daily signal (turning lights on or off or pulling up shades) of the person's status. The sheriff's department maintains logs for each of the 140 participating senior citizens, and deputies make home visits and distribute donations provided by the community.

Mr. Partee said that not only is the number of senior citizens increasing in Illinois, but abuse of elderly citizens (both physical and financial) is growing. He described some of the legal remedies designed to safeguard senior citizens in Illinois. One of the most recent, and toughest, statutes is a 1989 law that makes it a Class 3 felony to criminally neglect or financially exploit a senior citizen. Criminal neglect is aimed at care givers who knowingly commit acts that endanger the health or well-being of elderly or disabled persons. Financial exploitation is aimed at people in a position of trust or confidence who defraud, deceive, or intimidate an elderly or disabled person into turning over control of his or her property. Another legal

remedy, but one that is often overlooked, is the Illinois Domestic Violence Act: while not aimed specifically at senior citizens, Mr. Partee said parts of this law can be used as a remedy for abuse of elderly people by family and household members. Enforcement of nursing home violations and consumer fraud protection are two other areas that prosecutors should concentrate on, Mr. Partee said.

Next, Ms. Pezzuto described a five-year-old program that the Council for Jewish Elderly in Chicago, with funding from the Illinois Attorney General's Office, operates for elderly crime victims. The program recently earned the council an exemplary national award from the Retirement Research Foundation. Ms. Pezzuto said the program has three components: (1) direct assistance, which involves contacting a victim within 24 hours of a police report and addressing the victim's immediate needs, including liaison with the justice system; (2) follow up, which involves checking with the victim at two-week and three-month intervals; and (3) prevention, which involves working with the Chicago Police Department to heighten awareness of crime issues, to increase personal safety, and to establish rapport with the police department. Ms. Pezzuto said the key to the success of the council's program is its relationship of trust and cooperation with the police department.

Commander O'Neill, who heads the Chicago Police Department's Senior Citizens Services Division, said that in the 1970s, crimes against senior citizens were not widely reported, largely because elderly people had established little rapport and trust with the police. The Chicago Police Department has tried to overcome this situation by keeping senior citizens informed and by providing them with more services. The heart of the department's approach is the senior citizens councils that are located in each of the city's 25 police districts. These councils meet monthly to review crime statistics and to empower senior citizens to protect themselves (Commander O'Neill said that 80 percent of the 35,000 to 40,000 crimes committed against senior citizens each year are preventable).

JUVENILE OFFENDERS

Changing Profile, Changing Resources

PANELISTS:

Thomas Eynan, Southern Illinois University–Carbondale (Moderator)

Robert Bingham, Lake County Court Services Department

Julia Dempsey, Associate Judge, Juvenile Court of Cook County

Irving Spergel, University of Chicago

Anne Studzinski, Illinois Juvenile Justice Commission

Xavier Valesco, Cook County Public Defender’s Office

This session analyzed the changing nature of juvenile crime and juvenile offenders in Illinois, and how the justice and child-welfare systems are responding.

Mr. Bingham said that to understand juvenile delinquency and justice issues, policymakers must first understand and appreciate the complex world that today’s young people face. He discussed a variety of factors that make the high school experience much more stressful and complex today than it was a generation ago. The easy availability of alcohol (which he called the No. 1 problem facing young people), illegal drugs, gangs, and guns are the most publicized factors. But family issues are also more complex today: higher divorce rates; smaller, single-parent families (and the decline of support from extended families); and the loneliness that comes from working parents being outside the home. Community issues are also a factor: the failure of public education (caused in part by increased crime in the schools); the lack of heroes in the community; and the decline of organized religion (and the spiritual and social influences that go with it).

In addition, Mr. Bingham said there are issues today that were either unheard of or

extremely uncommon a generation ago. These include sexual issues (AIDS, birth control, and abortion), economic issues (40–50 percent of teenagers now work), and popular culture issues (increased violence in the media and the depersonalization of computers and automation). Young people are responding to the sum total of these trends in a variety of ways, with the most severe response—teen suicide—tripling in the last 10 years.

Professor Spergel focused specifically on youth gangs and what changes are occurring with them. He identified four major changes in the characteristics of gangs: (1) the age of gang members is getting both older and younger; (2) more females are joining gangs; (3) gangs are spreading from large cities to smaller cities and suburban areas; and (4) blacks and Hispanics now dominate gangs. He also said gangs were becoming increasingly violent, not necessarily because of conflicts over illegal drugs (he said the link between gang violence and drug trafficking is often overstated by the media), but because of retaliation and arguments over turf. To combat gangs, Professor Spergel said one must look at the factors that are fueling the problem, including institutional racism and poverty. He said it is critical for intervention strategies to distinguish between serious, chronic gang members and peripheral, or copycat, members. He stressed the need for greater cooperation and information sharing among agencies trying to deal with the problem.

Judge Dempsey described how the juvenile court is organized to address the problems of both delinquents and children who are abused, neglected, and dependent. She said the juvenile court is currently overwhelmed with cases, especially in the City of Chicago, where each of the seven juvenile court judges has a calendar of approximately 12,000 cases. She, too, blamed poverty—as well as poor prenatal care and parenting skills, and the failure of the child-welfare and mental health systems to respond adequately—for contributing to the serious problems being seen in juvenile court today. And she said the delinquency and abuse problems could get worse in the

future with the rise in “cocaine babies”—children born with illegal drugs or alcohol in their fragile systems.

Mr. Valesco looked at what the justice system is doing about serious juvenile crime and criminals, focusing in particular on the growing trend of trying juveniles in adult court. State law, he said, has traditionally given judges some discretion to transfer certain juvenile offenders to adult court. But since 1982, the law has *mandated* the transfer of juveniles aged 15 or older who have been accused of murder and other very serious crimes. Mr. Valesco said this automatic transfer law was designed to deter juvenile crime and to deal harshly with the most serious young offenders. He claimed the law has failed in both respects. He said the growing number of automatic transfers is proof that deterrence is not working. And the frequent use of probation for juveniles convicted in adult court is proof that the state is not “getting tough.” He called for a more thorough evaluation of the automatic transfer law and the possible enactment of a “waiver back” law that would give judges additional discretion to review automatic transfers and to keep more juveniles in juvenile court.

Ms. Studzinski looked at some national trends in the delivery of services to juveniles. She said it is key for jurisdictions to provide a continuum of services and sanctions. She said local agencies should be in charge of organization, planning, and implementation, with the state government increasingly responsible for funding, setting standards, and monitoring progress. In establishing the continuum of services and services that are most appropriate for young people in a particular area, Ms. Studzinski urged communities to consider three types: (1) non-restrictive, including crisis intervention, advocacy, counseling, and short-term, voluntary out-of-home placement; (2) more restrictive, including restitution, community service, and parent supervision; and (3) restrictive, including alternative placements, evening report centers, and in-home detention with electronic monitoring. Keeping youth in the community will be the goal in the 1990s, she said.

DISPUTE RESOLUTION

PANELISTS:

Katheryn Dutenhaver, DePaul University College of Law (*Moderator*)

Jeffrey Arnold, Circuit Court of Cook County

Peter Carnevale, University of Illinois, Champaign-Urbana

James Grisius, Neighborhood Justice of Chicago

Sheila Murphy, Associate Judge, Circuit Court of Cook County

Carolyn Wanner, Evanston Commission on Aging

This session examined the history of mediation in Illinois, its role in the justice system, and techniques for making it work.

Ms. Dutenhaver explained the distinction between mediation and arbitration, stressing that the main difference is in their outcomes. Mediators do not decide cases, as arbitrators do. They help disputing parties find a common ground, thus eliminating the need to bring certain civil and (increasingly) criminal cases to an already overloaded court system.

Mr. Grisius reviewed the history of mediation in Illinois and the growth of Neighborhood Justice of Chicago, the largest mediation service in Illinois. He said several attempts were made in the 1960s and 1970s to establish a mediation program in Chicago, but they failed for a variety of reasons, including their lack of proximity to the courts. In 1982, Neighborhood Justice was created in downtown Chicago to provide that proximity and to make it easier for mediators to report decisions back to the court. Neighborhood Justice currently receives no government funds, but is supported instead by a combination of private grants and client fees.

Nationwide, according to Mr. Grisius, there are more than 400 mediation programs, including 63 that concentrate on criminal matters. This growth, especially in the criminal area, has brought the need for more volunteer mediators and increased training of them. Neighborhood Justice mediators complete 32 hours of training, and they are subject to occasional peer review. Mr. Grisius said mediation is a worthwhile investment, since 70–90 percent of participants reach agreements without going to court.

Mr. Carnevale provided more information on mediation research and evaluation. He said mediation programs are currently evaluated using three basic methods: questionnaires given to clients, direct observation of proceedings, and follow-up telephone interviews (usually several months after the fact). He said research shows that to produce successful outcomes, mediators must take charge of the proceedings and prioritize the issues for discussion. In New York, for example, the most successful mediation approach involves a forceful mediator who can actually become an arbitrator in the end to issue a binding decision if one isn't reached earlier in the process. Mr. Carnevale said the best predictor of success is whether the clients viewed the proceedings as being fair. More extensive research on mediation is currently being conducted at Purdue University and the University of Illinois, Champaign-Urbana.

Mr. Arnold focused on the critical connection between mediation programs and the courts. He said that unless this connection is formalized, mediation programs are likely to fail because clients get the impression that their agreements won't be enforced. He said Neighborhood Justice has been successful because it works closely with the Circuit Court of Cook County, reserving a seat on its board for a staff person from the courts.

Judge Murphy said mediation is successful because it works well with disenfranchised groups and because it gives all parties an opportunity to voice their concerns (under traditional rules of evidence, this may not always occur in court). Judge Murphy said dispute resolution is used widely in arguments over items and in domestic violence cases, which are often complicated by the presence of substance abuse problems. She said mediation agreements in domestic violence cases usually result in the abuser seeking needed treatment and counseling. Judge Murphy said the success of mediation—and its value to the courts—is demonstrated by the fact that few clients end up back in court.

Ms. Wanner, who works as a volunteer mediator, said the small things (such as seating arrangements) can make a big difference in mediation. Mediators, she said, must control *situations*, not decisions. They must project balance, fairness, and impartiality, and they must ensure that clients know that their confidentiality will be honored. She said mediators should encourage each party to go through the exercise of developing and writing up its own solution, although she emphasized that both parties must agree on all conditions of the final agreement. Mediation sessions usually last between one and three hours, and the goal is for parties to have to meet only once, she said.

EMERGENCY PREPAREDNESS

Dealing with the Unexpected

PANELISTS:

Bobby Henry Sr., Illinois State Police (*Moderator*)

Thomas Osland, Springfield Fire Chief

William Pierce, Highland Police Chief

Thomas Zimmerman, Illinois Emergency Services & Disaster Agency

This session examined how to prepare emergency and natural disaster response plans, how to test and implement those plans, and how to protect valuable evidence when a disaster scene is a crime scene as well.

Commander Henry described the process that officials followed in developing an air disaster plan for the Metro East area, which contains flight patterns for both Lambert–St. Louis International Airport and Scott Air Force Base. He said the first thing they did was see what lessons—affecting both personnel and operations—could be learned from previous air disasters. In San Diego, for example, they learned that 14 people left the fire department following an air disaster there because of post-traumatic stress: although these people had witnessed horrible sights at the crash scene, none of them received any mental health crisis intervention. In Chicago, the 1979 crash of Flight 191 created a massive traffic jam at the scene and swamped communications lines.

Commander Henry contrasted those disasters with the response to the recent plane crash in Sioux City, Iowa, and to the 1989 earthquake in the San Francisco area. In both instances, he said, officials not only had an emergency plan in place, but they had tested it as well. Finally, he said the air

disaster over Lockerbie, Scotland, has raised another issue for disaster planners: how to deal with a situation in which a disaster scene turns into a crime scene.

Chief Pierce listed some of the common problems in disaster preparedness: the lack of coordinated plans or the reliance on outdated plans, turf problems when trying to coordinate the activities of different agencies, and communications problems. He said communications problems can hamper not only the response to an actual disaster, but also the planning process. He cited the example of trying to get the Illinois Department of Corrections, the Illinois State Police, and the National Guard together to discuss a plan for handling a crisis in the prisons, only to have corrections officials say that “we can’t talk to the National Guard.”

Turf problems, Chief Pierce said, can also be very serious. He said disaster plans should include a structured organization of personnel. There needs to be an incident commander, for example, and the roles of all other key players must be spelled out. He said this organizational structure is especially critical in designing plans that are regional and multi-jurisdictional.

Chief Pierce also raised the crime scene issue. He said valuable evidence was lost when an understaffed State Police team regained control of the Pontiac Correctional Center following the 1979 riot there. After the incident, officials stripped all the prisoners and piled their clothes in the yard, but rain that night destroyed any evidence the clothes might have contained.

Chief Osland described some of the critical elements in planning and executing a disaster plan. He said planning should involve public safety agencies, private organizations, utility companies, hospitals, and (importantly) the news media. He said the media are important in communicating information to the public, but without

proper planning, they can also get in the way at disaster scenes.

Chief Osland said the backbone of the Springfield-area disaster plan is an Incident Command System, which identifies a lead agency for each of the most probable types of disasters. In any disaster, he said, the first task is to establish a command post, which helps officials immediately gain control of the response and to coordinate the various emergency teams. An identification system—badges or other markings for authorized personnel—should also be in place. The incident commander will also need some key people, including an operations officer who is the nerve center of the operation, and two safety officers (one from the police department and one from the fire department) who can immediately stop any operation they deem unsafe. In addition to the command center, he said, there should be a staging area for the media, with a single spokesperson available, and an evaluation and treatment area for medical teams.

Mr. Zimmerman explained how the Emergency Services & Disaster Agency, through its eight regional offices, can assist local agencies in disaster planning. He said the main reason for planning is to institutionalize an organization for disaster response.

Mr. Zimmerman outlined the basic steps in developing an emergency plan. The first step is to gather facts, identifying potential hazards and the resources that will be needed in an emergency. Annex development is the next step, identifying who should be involved and what resources they will need. The final step is exercising the plan, testing it in the field and revising it as necessary.

CHILD ABUSE

The System Response

PANELISTS:

Christine Franklin, Illinois Department of Children and Family Services (*Moderator*)

Ardis Cook, Illinois Department of Children and Family Services

Ed Cotton, Illinois Department of Children and Family Services

John House, Illinois Department of Children and Family Services

John Robinson, Illinois Department of Children and Family Services

This session analyzed the dramatic increase in reported child abuse and neglect cases in Illinois, and what is being done about the problem. The session focused on responses from both the child-welfare system (and its family preservation programs) and the justice system (and its victim advocacy efforts).

Ms. Franklin cited a variety of statistics showing the explosive growth of child abuse and neglect cases in Illinois: abuse reports have quadrupled over the last decade; the 2,100 "cocaine babies" reported in 1989 were 12 times the number reported in 1985; and the 19,000 children placed in foster care in 1989 was the highest number in the history of the Department of Children and Family Services. She said DCFS has responded with a variety of programs, including the 1989 Family First initiative, which is designed to preserve families by keeping children in the home and providing them with more services there. DCFS has also centralized reporting and record keeping in child abuse and neglect cases, strengthened child protection units, and introduced an allegation-based investigation model. More recently, DCFS supported legislation that now requires counties to develop advocacy centers or protocols for child abuse victims.

Still, she said, the number of cases continue to rise, which in turn raises a number of key questions for the new decade: How should the welfare system respond? What resources are needed to meet the demands? Should more abusers be criminally charged? What will the next generation bring?

Mr. Cotton examined the statistics in more detail. In 1989, there were more than 250,000 calls to the state's child abuse hotline, up 10 percent from the previous year. In addition, there are now more than 1.3 million named child abusers in DCFS' central child abuse computer system. Mr. Cotton said DCFS is able to handle up to 70 percent of hotline calls right away (the remaining people are called back). One problem with the system, however, is that while DCFS may file and investigate an abuse report, there are not enough resources to help the abused or neglected child in the meantime.

Mr. House agreed that the numbers are staggering: a DCFS worker sees a child every 15 seconds, he said. And he stressed that not only is the number of reported cases growing, but the seriousness of them is increasing as well. He said that child abuse is being uncovered in every part of society. Furthermore, Mr. House predicted the problem will be far worse in the 21st century if today's child abuse victims don't receive adequate treatment. He said that while every abuse victim will not become an abuser later in life, many abusers were once abused. If this cycle of abuse is not broken, he said, DCFS will be three to four times as overloaded in the year 2000 as it is today.

Mr. Robinson looked at some of DCFS's services and the policies behind them. He stated that the department's priorities are to protect children, but also to preserve families. Part of this dual emphasis involves economics: DCFS simply does not have the resources to place all abuse and neglect victims in foster care. But a large part is also philosophical: the Family First initiative was a recognition that it is the family, not just

the children, that needs help. More in-home services for children and more community-based programs to support families are needed for this approach to work, he said.

Ms. Cook returned to the issue of DCFS reserving foster care for only the most serious cases of abuse and neglect. One problem with this approach is that DCFS continues to see an increase in these very serious cases. It is also seeing more cases of younger and younger children who are dysfunctional, many of them the offspring of young parents who lack parenting skills. Like other speakers, she said the key is to start breaking the generational cycle of abuse now.

On the issue of criminal prosecutions in child abuse cases, Ms. Franklin returned to the new requirement for child advocacy centers or protocols. One of the chief advantages of the centers is that they reduce the number of times a child needs to be interviewed by enforcement and service personnel. According to Ms. Franklin, this makes it easier to prosecute cases because the child's story remains consistent. She urged people to get involved in these centers through the state's attorney, who is the chairman of the effort in each county.

Mr. Cotton, however, said that funding problems may prevent many advocacy centers from getting off the ground. Many counties do not have the tax base to fund the centers, and few appear willing to pass minor property tax increases to do so (although this was the intent of the General Assembly). He urged counties to seek other sources of money or, if they cannot fund a full advocacy center, to at least develop a victim protocol (which is permitted under the law).

CRIME VICTIMS

The Child Victim/Witness

PANELISTS:

Lee Preston, State Representative, 3rd District
(Moderator)

William Curtis, Illinois Department of Children and Family Services

Renee Maldonado, DuPage County Children's Center

Cynthia Savage, National Committee for the Prevention of Child Abuse

This session examined how child victims and witnesses can be easily retraumatized by the justice system that is designed to protect them—and what the system can do to be more sensitive to children while remaining aggressive in their enforcement of the law.

Representative Preston assessed the state of child victims and witnesses in Illinois. He charged that children—unlike people with disabilities, non-English speaking people, and other groups who are particularly vulnerable to crime—have not always received the special treatment they deserve from the courts and other parts of the justice system. But that situation is beginning to change, he said in citing several trends.

For example, the Office of the State's Attorneys Appellate Prosecutor, through its Child Witness Project, is now training judges, prosecutors, and other courtroom personnel on the special needs of the child witness. More state's attorneys are using vertical prosecution (having one assistant state's attorney handle an entire case) in situations involving child witnesses; this provides continuity and helps avoid redundant questioning. And the identities of child abuse victims are increasingly being protected from publication in the news media.

Next, Ms. Maldonado described how the justice system in DuPage County has improved its response to the child victim and witness through its model children's center. The process began in 1985, when the state's attorney's office convened a 20-member multi-disciplinary task force to examine how the justice system was treating sexually abused children in different DuPage County jurisdictions.

The task force found three fundamental problems: (1) child victims were subjected to countless interviews by many different officials; (2) children perceived the repeated questioning as a sign that adults didn't believe them; and (3) children were frequently interviewed in uncomfortable or intimidating settings. The task force also found that after the initial intervention, there was little communication, coordination, or consensus among the different agencies involved in the case. The group recommended that a centralized organization be established with responsibility for coordinating all activities in child sexual abuse cases. Thus, the DuPage County Children's Center was formed in 1987.

The children's center is an intergovernmental agency which coordinates the efforts of law enforcement, child protection, prosecution, and treatment professionals. It is funded by 30 DuPage County municipalities, as well as the county and state governments. In addition to employing criminal investigators, social workers, and advocates, the center maintains a review team to discuss how best to handle individual cases.

Ms. Savage discussed some of the traumatic effects that many child victims feel when they are subjected to things such as repeated interviews, case delays, and changes in personnel. These effects include a mistrust of adults, a fear of cooperating because the offender has threatened to harm them, very low self-esteem, and

memory loss or severe concentration problems. She said that to avoid these problems (which affect not only the victim but also the system's ability to prosecute the offender), officials should provide ongoing therapeutic support throughout the process.

In addition to supporting victims, Ms. Savage said more attention should be placed on prevention. She said parents need to be straight with their children about child abuse—how to recognize and avoid it, and what to do if they are abused.

Mr. Curtis said the Department of Children and Family Services, like a parent, is concerned with healing, protecting, and providing a level of permanency for child victims. He said the justice system should do all it can, within constitutional limits, to reduce the trauma felt by child victims and witnesses, especially in the courtroom. Videotaped testimony and cooperative investigations that rely less on children as witnesses are important steps, he said. At the same time, however, victims need to know that the system cares about their protection, so aggressive prosecution of offenders is important.

Mr. Curtis said that while there are many new laws to protect the child victim/witness, the resources needed to enforce the laws are lacking. He said money is needed for facilities and programs (such as sensitive court designs and child advocacy centers), as well as for recruiting and retaining more professionals who will devote their careers to children's issues.

COMMUNITY ORIENTED POLICING

PANELISTS:

Robert Wadman, Aurora Police Chief (*Moderator*)

Warren Friedman, Chicago Alliance for Neighborhood Safety

Donald Hanna, Champaign Police Chief

Frank Kaminski, Evanston Police Department

This session explored the growing field of community-based policing—what it is, how it is being used in Illinois, and what the future may hold.

Chief Wadman said the reason more departments are looking at community-based policing is that traditional, reactive methods (which rely almost exclusively on vehicle patrols and 911 calls) aren't working by themselves. He said that even though reactive crime control techniques have improved markedly over the years, still only about one-third of all crimes are even reported to the police and only about 6 percent of all serious crimes are ever solved. The problem, he said, is that reactive methods do not give sufficient direction or purpose to modern police departments. Community-based methods (in which officers work with citizens to identify and solve community problems that breed crime) can provide that direction by identifying new measures of success and by giving all personnel a greater stake in achieving department goals.

Chief Hanna said the diversity of the police mission—maintenance of order, enforcing laws, and public service—is not conducive to any single method of policing. Instead, he said departments need to use all four of

the major policing models—reactive, specialized, problem solving, and community-based. Furthermore, he said these policing models need to be formalized into a larger *corporate strategy*, a shared plan aimed at defining the organization's mission and spelling out how it will be achieved.

Chief Hanna said local policing is a community-based enterprise. Successful police departments, he said, consider community needs and expectations in defining the police mission, and they are accountable to the community in carrying out that mission. He noted that while a certain amount of policing will always be reactive, community-based efforts are an effective alternative in those areas where crime is largely the result of community problems. A corporate strategy that includes community-based approaches also builds morale within a department by giving officers more input into the strategy and by making them shareholders in its success.

Deputy Chief Kaminski said Evanston defines community-based policing as "police asking the community to help with crime control." He described two of the community policing programs the department uses:

- The Partnership Program (whose motto is "We Walk Together") is an expanded foot-patrol effort. Officers walk beats, talking with residents and business people to learn about community and crime problems. Officers are encouraged to use that information to develop police department and community responses to those problems. At the same time, the Partnership Program tries to keep citizens informed about crime in their communities through neighborhood meetings, a newsletter, and the foot-patrol officers.
- The Wedge Program is a more specific community-based initiative focusing on

illegal drugs and gangs. Like the Partnership Program, this program relies on information from individual citizens and community groups about drug and gang problems in their areas, and it provides information back to the community so it can respond to emerging problems.

Mr. Friedman said that for the police-citizen partnership to work, communities have to be organized. He said the mission of the Chicago Alliance for Neighborhood Safety is to provide that organizational glue. CANS offers technical assistance, crime data, and research to community organizations throughout Chicago that are involved in fighting crime. The group's research into 911 in Chicago—which concluded that many calls to the emergency number are not true emergencies—has been widely used to support the need for more community-based policing approaches.

Audience questions focused on the cost of community-based policing and the reaction of "old-school" officers. Mr. Kaminski said community policing did increase police expenditures in Evanston, but not overnight. Police pilot tested each program and asked for community feedback (which encouraged police to expand, not cut back, foot patrols). Chief Wadman pointed out that additional police are not the focus of community policing: the use of existing resources and the coordination with community efforts are what is important.

Chief Hanna admitted that some officers in Champaign resisted community policing because they considered it social work, not police work. Mr. Kaminski said that in Evanston, initially negative responses were largely overcome when the benefits of community policing—reduced crime and greater cooperation and respect from the community—became apparent to individual officers.

RESEARCH

The Foundation of Policy

PANELISTS:

Chuck McDonald, Southern Illinois University–Edwardsville Police Chief (Moderator)

Allen Andrews, Peoria Police Superintendent (retired)

Nola Joyce, Illinois Department of Corrections

George Koertge, Illinois Association of Chiefs of Police

Art Lurigio, Cook County Adult Probation Department

Dennis Rosenbaum, University of Illinois at Chicago

This session analyzed some of the problems of conducting research in criminal justice settings, as well as some of the opportunities for using research to identify problems and support policy decisions.

Mr. Lurigio singled out at least four problems that can hinder research in criminal justice settings, and he proposed four approaches for addressing those problems:

- *Problem:* There is a clash of philosophies and working styles between researchers and operational personnel. *Approach:* Make research an explicit part of projects, and include researchers early on.

- *Problem:* Criminal justice agencies are not progressive, and lack resources for research. *Approach:* Encourage more state funding for local research projects.

- *Problem:* There are few performance measures to determine the effectiveness of research. *Approach:* Demand greater collaboration between researchers and practitioners in developing and using performance measures.

- *Problem:* Researchers are viewed as outsiders, as snoops. *Approach:* Give researchers access, but keep them from intruding in daily activities.

Mr. Lurigio also said researchers must maintain an independent stance between administrators and line staff. And once their work is completed, researchers need to quickly disseminate their findings to appropriate personnel, not leak it prematurely to the news media.

Ms. Joyce argued that the researcher's primary responsibility is to give an objective opinion using valid scientific and research procedures. In government agencies, however, she said there are often political and bureaucratic constraints on the scope and comprehensiveness of the research. In addition, research within government agencies often takes the form of "crisis" intervention, requiring a one-week turnaround when a comprehensive study may take years. In these instances, it is the researcher's responsibility to inform decision makers of the limitations of the research. Finally, she said that to be effective in a criminal justice agency, researchers must understand the agency's operating environment and the forces that shape it.

Professor Rosenbaum asked the fundamental question, Can research be the basis of sound decision making in criminal justice? His answer was yes, if researchers stick to factual presentations and leave policy decisions to the policymakers. The purpose of research, he said, is to enlighten, to help people understand problems, to provide background and context, to frame the issues, and to reduce the uncertainty of different courses of action. And while research can be used as ammunition to support one's position (or discredit someone else's), true research does not attempt to make policy. Like Mr. Lurigio, Professor Rosenbaum advocated a stronger funding

mechanism within state government for local criminal justice research. Under his proposal, the state would set the research agenda, and individual localities would carry it out.

Mr. Andrews said decisions are always marred by relying on what is politically popular, rather than on what should be done. But without research to guide them, many criminal justice managers simply go with what's popular. He said there is a strong need for practical research within individual police departments in Illinois. As police superintendent in Peoria, Mr. Andrews hired a research analyst to investigate specific topics that the superintendent requested. He said this type of small-scale, very specific research can pay for itself several times over in better decision making.

Director Koertge focused on the research and data that are needed to support expanded drug control efforts. He pointed out that even though more drug-abuse data are being collected in Illinois than ever before, public policymakers are still missing potentially useful sources of information, especially from the private sector. For example, he said increasingly vast amounts of data on drug use are, in effect, being collected by private industry through drug testing of their employees. But almost none of these data are being reported to any coordinating agency or organization for analysis and dissemination. He said trend data of this type could be useful to drug enforcement, treatment, and education professionals.

EDUCATION AND TRAINING

Diminishing Resources

PANELISTS:

Thomas Jurkanin, Illinois Local Governmental Law Enforcement Officers Training Board (*Moderator*)

Sherry Diamond, University of Illinois at Chicago

Walter Groesch, Illinois Department of Corrections

Stanley Lubarski, Cook County Court Services Department

Dennis Nowicki, Joliet Police Chief

Doug Thomson, University of Illinois at Chicago

This session examined the challenges that criminal justice agencies face in recruiting, educating, and training qualified workers for today—and in developing criminal justice leaders for tomorrow. Mr. Jurkanin said that any type of policy-directed programs than come out of the Forum are going to need a training component. A major challenge facing the justice system in the 1990s will be to find efficient, imaginative, and continuous ways to fulfill the state mandate to train criminal justice professionals.

Saying there are (and should be) tensions between criminal justice education and training, Professor Thomson explored the role that a traditional liberal arts education plays in preparing future criminal justice professionals. He said university curricula should have objectives beyond simply preparing students for careers as law enforcement, probation, and corrections officers. Education should introduce students to the broader implications of living and functioning in the real world—by honing critical analysis skills, by fostering intellectual diversity and curiosity, and by developing an appreciation for divergent opinion.

Mr. Thomson also said academic and criminal justice administrators must not overlook other important issues of job preparation and training. They need to foster an occupational culture that understands and is sensitive to issues such as civil liberties

and the rights of defendants. Criminal justice leaders, he said, must remind their front-line officers that despite the pressure to “give the public what it wants,” their mission involves protecting civil liberties (and not having to apologize for doing so).

Chief Nowicki, too, said it is critical to distinguish between education and training, and the objectives of each. For too long, he said, the two disciplines have been viewed as competitive, when in fact they are complementary: training tells you how to do it, while education tells you why and with what options. He said that while there is some conflict between community colleges and criminal justice employers, that conflict has not produced as much of a division as with other educational institutions that offer criminal justice majors, largely because community colleges remain vocational. However, he did argue that the quality of community-college education has not evolved as fast as it could have, and that stronger credentialing and evaluation of both programs and educators at the community-college level are needed.

In the area of training, Chief Nowicki said many police executives need to change their basic mind-set. Far too many executives, he said, simply *tolerate* training, viewing it as a one-shot deal to protect themselves from civil liability and to keep up with other agencies. He said police executives need to provide stronger guidance on what areas their officers need to be trained in. And police executives themselves need to commit to ongoing management training, Chief Nowicki said. Fourteen years ago, the National Advisory Committee on Criminal Justice Standards and Goals called for a complement of management training programs at the regional and state levels. While some programs exist, they are not easily accessible to many officials in Illinois, he said.

Mr. Groesch also looked at the issue of management training. In the private sector, he said, there is usually a two- to three-year period of on-the-job managerial training in employee selection, team building, and

budgeting before someone is promoted to a supervisory position. In criminal justice, however, this type of management training seldom occurs. Ideally, management training in criminal justice should be formal and applied. But in lieu of formal training programs, he said agencies can try to identify managers with strong supervisory skills, and then assign those managers to be on-the-job coaches to promising staff people. In either case, Mr. Groesch said criminal justice should dedicate itself to the corporate goal of management training as a process, not just a one-time experience.

Professor Diamond looked at some unique ways of providing training to judges. Specifically, she described recent seminars in which judges and members of the public were shown videotapes of difficult court cases and were asked to make sentencing decisions. She said her research shows that training of this type can change not only the attitudes of judges, but also public perceptions of the judiciary.

Mr. Lubarski discussed new directions in training curricula and approaches. He said that among veteran court services staff in Cook County, there is a growing interest in self-development issues—professional identity, value exploration, personal transformation, and spirituality. He said there is also an increased need for training in different languages, cultures, and customs. He argued that such approaches help criminal justice professionals to better relate to people who are different from themselves and to get in touch with their own biases. In the 1990s, Mr. Lubarski said it will be critical to provide more training to criminal justice managers in personnel issues (EEO, affirmative action, disciplinary action), collective bargaining, and the effects of unionization.

Mr. Jurkanin concluded by saying that criminal justice agencies must step up their recruitment of college graduates if they are to attract better educated and trained workers in the 1990s. Right now, he said, people interested in criminal justice careers have to seek out individual agencies.

CANDIDATES FORUM

SPEAKERS:

Jim Edgar, Gubernatorial Candidate

Neil Hartigan, Gubernatorial Candidate

Bob Kustra, Candidate for Lieutenant Governor

Roland Burris, Attorney General Candidate

Jim Ryan, Attorney General Candidate

Jerry Cosentino, Candidate for Secretary of State

George Ryan, Candidate for Secretary of State

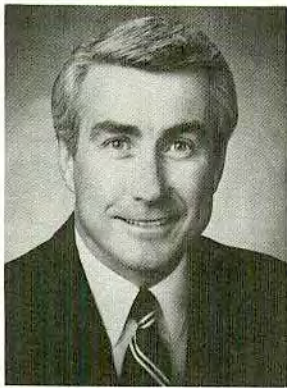
PANELISTS:

Michael Mahoney, John Howard Association
(Moderator)

Donald Bernardi, Livingston County State's
Attorney

Paul Dollins, University of Illinois, Champaign-
Urbana Police Chief

Randy Grounds, Wabash County Sheriff



Jim Edgar

This session provided the major candidates for four statewide offices—governor, lieutenant governor, attorney general, and secretary of state—with an opportunity to present their ideas and platforms on criminal justice. In addition to making individual presentations, the candidates responded to questions from a panel of local criminal justice officials.

Audiotapes of the Candidates Forum are available from the Authority. Printed here are summaries of the remarks of the governor-elect and the attorney general-elect.

Here excerpts from the remarks of Governor-elect Jim Edgar:

• *On drug abuse and crime:* "One of my major priorities as governor will be to see that we do better in the war against drugs. . . . We've got to send a message, not only to the drug dealers, who I think we have to be extremely tough on, and I support President Bush's call for a death penalty for drug kingpins, but also we have to be tough on drug users. As we learned in the war against drunk driving, if you just give a slap on the wrist, no one's going to change their habits, no one's going to change their lifestyle. But if users know no matter how small an amount of illegal drugs they might use, they're going to be penalized, they're not just going to get a slap on the wrist, then I think we're going to see a change of attitude, as we've seen in drunk driving in the last decade. . . .

"We also need to do a better job of testing the people that are in our prisons for drugs, and once they're out of our prisons, to see that they stay off of drugs. We know that in the private sector, in the armed services, where testing has been required, it has been an effective way of reducing drug usage. The same should be used in our prisons and once those people are on parole."

• *On state and local cooperation:* "An Edgar administration will put cooperation between state and local agencies at the top of our priorities. When I pick a director for the state police department, I will look for someone who has extensive experience in law enforcement, but also someone who shares my strong belief in cooperation and coordination between state and local agencies. I will not tolerate any turf wars when it comes to the war against crime. I also will see that we have established an ongoing, functioning advisory committee made up of members from the criminal justice community of Illinois, who will advise the director of the state police and the other appropriate officers of the state government so that we have an ongoing dialogue, open lines of communication. . . .

"The state police has a major responsibility to serve as a technical assistant to a lot of law enforcement agencies in this state. Outside the City of Chicago, I don't think there are a lot of law enforcement agencies that have the resources that the state police has, nor have the finances to be able to purchase those sort of materials."

• *On criminal justice resources:* "We're going to have to manage on what we now have. I think we can do that, but it's going to take cooperation, to make sure we're the most efficient in using our dollars. That's why I stress so much the importance of the state level, that we create a new partnership with law enforcement, the criminal justice system throughout our state, and that we work together. That we don't add new costs to local law enforcement, to the courts without providing the revenue. And that we try to make sure we share our resources so that we can hold down the cost and do the job."

Here excerpts from the remarks of Attorney General-elect Roland Burris:

• *On drugs and crime:* "As attorney general, I will do my best in all parts of the state to stop the flow of drugs. I will provide leadership. My door will be open so that we can work together to fight this scourge on society. The resources of the attorney general's office will be available to you so that we can fight this war together.

"As attorney general, I will defend the constitutionality of the state's capital punishment act. In addition, I will seek new laws to fight crime. I will continue to push for a statewide grand jury to fight drugs and crime. A statewide grand jury is another tool that can be used to fight drug trafficking, particularly the money laundering aspects of the crime."



Roland Burris

• *On criminal justice resources:* "I think we basically all agree that law enforcement alone is not the entire answer. We must allocate resources into an area that we hope will reduce crime in the long run. And that, ladies and gentlemen, is the area of education. We must educate our young people about the dangers of drugs and crime. We must allocate resources in a way to prevent crime. We must pay for the best educational system possible. If we don't pay on the front end, we're going to pay three times as much on the back end. . . .

"We are paying an exorbitant price for incarcerating our young people. . . . In 1977, the state was paying 44 percent of the cost of education. In 1983, support for education dropped to 38 percent. The state's share for funding education did not keep pace with inflation. Education was underfunded, and even today, the state pays less than 40 percent of the cost. And that caused us, by the end of the 1980s, to have to be building more prisons than we are building schools. . . .

"Other components of the criminal justice system may be able to use money more effectively and efficiently. We must be innovative. In Peoria, for example, they operate a crisis nursery. Children can be brought there during times when parents feel unusually stressed. It operates without government funds. . . . We must find more efficient and more cost-effective ways of operating government, including the criminal justice system. We must tighten the strings of waste and mismanagement."

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